this particular industry. In spite of all this help rendered by both the Governments, the management is resorting to anti-labour activities. This is high condemnable, and I urge upon the Government kindly to intervene and take over the industry immediately without any further delay because 8,060 workers are on the streets. They are suffering for want of their daily bread and shelter.

! request the Finance Minister and (he Textile Minister to go into the episode. I request the hon. Finance Minister to go into fishy matters involved by the management in collusion with the Reserve Bank of India, the State Bank of India and other financial institutions. I also request him to come forward immediately before the House with a white paper.,

Irregular Supply of Foodgrains in Orissa

SHRIMATI MIRA DAS (Orissa): Sir, recently the State of Orissa is witnessing unprecedented floods due to the heavy rains, add six districts and about 4,200 villages have been marooned, obviously, those affected people should have] been dealt with sympathy and compassion on humanitarian grounds. The State Civil Supplies Department has been asked to ensure smooth supply of rice and wheat along with other essential commodities. But foodgrain scenario in Orissa is bleak due to lack of coordination between the two agencies of the Government of India, one, the Food Corporation of India and ther other, the Railways. Caughr between the tardiness of the Food Corporation of India and the inability of the Indian Railways to provide! adequate rakes for the movement of rice and wheat, the poor and thel tribals of Orissa who depend on the public distribution system for their rations, may have to go for purchases from the open market where they have to pay higher prices for very common rice, that is, from Rs. 3.50 to Rs. 6.00 per Kilo, Add that too depends on whether the people can afford to buy it at all in the open market

The foodgrains scenario in the State looks bleak because of the factors that have contributed to such a state of affairs. One is the natural calamity, and the) other is the tendency to hoard in the hop of getting better prices in the future, also there is shortfall in the allotment front the Centre, and there Is inability of the Railways to move more grains in sufficient quantities in time from other States. Added to this, there is mismanagement and lack of coordination by the; FCI. That has resulted in the depots in the predominently tribal districts like koraput, Phulbani, Myurbhanj and Keonjhar, running out of stoks and as a consequence the public distribution system shops are unable to meet the demands of their customers.

The damages of the crops caused by the current heavy rains and the subsequent flooding of the agricultural areas are expected to add to the shortfall in the production that was seen last year. The procurement target could hardly be achieved because of the higher support price announced by the Government of India. That was also not there. The prices of rice increased, and this was compounded further when substantial quantities of rice were exported to the neighbouring States by private traders who could not get higher price there also because of the delay in procurement and the delay in providing the rakes by the Railways. Due to this the private traders took advantage of this also and exploited the poor people Though the State Government is very strongly taking actton against these hoar-ders and black-marketeers and many raids have been conducted, yet the situation has not improved. Therefore, through you I would request the Centra! Government, specifically the Food and Civil Supplies Minister and the Railway Minister to take notice of these things and consider our case sympathetically so that the poor people of Orissa are enabled to face this calamity bravely.

SHRI SARDA MOHANTY (Orissa): I associate myself with what Smt. Mira Das has stated.

THE WILD LIFE (PROTECTION) AMENDMENT BILL, 1991—Contd.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): We now take up the Wild Life (Protection) Amendment Bill, 1991. Time allotted for this is 30 minutes. Shri M. G. K. Menon.

PROF. M. G. K. MENON (Raja*. than): Mr. Vice-Chairman, Sir, I rise to speak on the Wild Life (Protection) (Amendmsnt Bill, 1991.

I would first of all like to say that I welcome the provisions contained in this particular Bill. In fact, there are several features in the Bill which I would like to commend, particularly the opening part of it, which is that in place of 'wild animals and birds' the scope has 'been enlarged to 'wild animals, birds and plants.' I think this is an important change. I will come to this in a few moments to say why I regard this as important.

Again, for instance, there is a provision for the notification of territorial waters. This, I believe, is also a step in the right direction. As also, immunisation of livestock around sanctuaries, and allowing only trios'; animals which are immunised to come in for grazing within the sanctuary. These are certain imporatnt and good features of the new Amendment Bill, 199*1*. But what I would really like to point out to the hon. Minister, and to the Government, is the fact that we are still operating on what I would regard as a very restrictive concept of wildlife. Historically there was a world body called the World Wildlife Fund (WWF). They have since changed their name, from World Wildlife Fund to World Wide Fund for Nature. I would like *to* bring to the notice of the hon. Minister the significance of this. It means that it has now taken a holistic approach to nature, not restricted only to what one normally conceived of as wildlife. I think that if we also do not do this, we will find that we are unable to deal with the problems for Which this very Act itself is designed viz. the question of protection of wildlife as understood hitherto.

What I. shall be referring to has signi-ficance not only from the viewpoint of conventional wildlife, but also from the viewpoint of mtioriat development as a whole. Normally most people regard wildlife is terms of the large mammals, the great cats and the like. We are all aware also of the fact that there has been a very considerable destruction of these in the past almost leading to extinction, through indiscriminate hunting, through their habitats being destroyed as la result of population increase, the spread Of agriculture, deforestation and the like. These aspects are visible to us when we see the elephant population or rhino population. or tiger population decrease, This. is something which we are familiar with. What we do not see but must be aware of is the disappearance of a great deal of the bio-diversity of our country. The very rich genetic resources which this bio diversity represents, that we are endowed with, are extraordinarily important for the future of our agriculture, our industry, on medicine and for national development in -general- over the future.

The point that I would really like to make is that we had the Wild Life Protection Act of 1972, and. now we have the present. Wild Life (Protection) Amendment Bill, 1991. Oyer a period of almost two decades, based on a great deal of experience in the implementation of the earlier Bill we have come up with extremely good suggestions on matters Of detailed provisions. I am not opposing anything which is contained in the present Bill. I am fully in support of it. But what I Mould like to urge the Government and the hon. Minister is that we need to go much, much further. There ought to be a vision which is enormously larger and. greater than what is contained in the present Bill, and that, I find, is missing, and which I think is the heart of the matter.

Let me point out, that the Indian region is one of the important centres of diversity in terms of crop plant gen,tic resources. You are familiar with the fact that we have given to the world 167 crop species, including rice, sugarcane, minor millets, rice bean, black pepper, turmeric, egg plant, mango, banana, citrus, cardamom and a whole range of plant wealth which has been of great econo-rrtic significance. we have many places' where we still have the wild ancestors and their related species of our important crop plants." They may not be places which

are important from the view-point of wild life as most people normally think in terms of the big animals, bat they aire Still extremely important because these are the genetic resources which can be available to us over the future. Time will not permit me, but I can give you examples where national from wild species of rice taken from the Silent Valley of Kerala, where there was all that dispute which went on concerning the Silent Valley hydro-electric project, was important for saving rice crops in Indonesia. There are many such examples one can give. Today these habitats represent a store-house for us, so that at a future date, when we require to introduce new genetic characteristics into our current economic plants, we have that store-house to go to. This can be protected not by protection of convenient wild life alone but by protection of various types of habitats in the country including of the large animals by protection of the bio-diversity that we are endowed with and conservation of it. Now, there are several forms of conservation. But I speak in particular on this occasion on what is referred to as *in situ* conservation. Just as one talks of national parks, sanctuaries and the like where animals can remain free and undisturbed, and are not hunted, so in a similar sense, we must have these places where other elements of wild life, our overall rich biodiversity if we really look at the true concept of wild life, can re-main protected. The importance of this lies in the fact that, apart from the great animals, there are enormous varieties of micro-organisms which are extremely important. Then there is the Whole area of forest genetic resources, particularly in the tree species. There are also the marine genetic resources; and must remember that we have an enormously long coast-line and a very large exclusive economic zone. We ought to ensure that the genetic wealth which is contained in all this is protected. All of this is truly wild if one wants to look at it that way, namely indomesticative biota.

We, have, at the present moment, several national bureaus which nave been set up, which are meant to look, after genetic resources; these relate to plant genetic resources, animal genetic resources and fish genetic resources. But that which looks after plant genetic resources deals specifically with the area of agri-cultural crops and other economic plants. We need to have, in addition, a National Bureau for Forest Genetic Resources. Mr. Vice-Chairmam, Sir, I find that I have already taken close to the time allotted to me. To conclude I would specifically say that the Ministry of En-vironment and Forests should look into the overall question of conservation of bio-diversity in the country. This is one of the richest areas in the world in terms of genetic resources being in the tropics, and .. . *(Interruptions).*

SHRI M. A. BABY (Kerala): Mr, Vice-Chairman, Sir, I would request you to give a little more time to Menonji because he is a person who knows the subject and the House would be enlightened.

SHRI SHANKAR DAYAL SINGH (Bihar): Nobody else from our party will speak. He is the only speaker.

SHRI M. G. K. MENON: I was saying, Sir, that in the area of conservation of bio-diversity, I would urge the Government to seriously consider setting up a National Board. And this National Board would have to look at what, I have referred to as in situ conservation. By in situ conservation, one means conservation at the site itself. We have for conservation of tigers, the tiger project where tigers are left undisturbed in natural conditions m sanctuaries sinvlarly one must have specific areas demarcated for all these other varieties of plant genetic resources, but which are not necessarily restricted to the ones which I have mentioned earlier, which are economic plants. In addition, one needs to have programmes which are referred to as *ex situ* conservation in which the Dept. of Biotechnology will have an important role. *Br situ* means, you bring the genetic resources from the site where they were originally, in onder to

[Prof:. M. G. K. Menon]

preserve them under laboratory conditions. You also have to do this in terms of both *in vivo* and *in vitro* conservation; the former refers to conservation of ' living genetic resources. We also need DlNA banks and so on. I have mentioned all this because we are now getting into a situation where, as science goes forward, it is possible to identify specific genes; and these genes are the material, which enable that particular organism (plant or animal) to function in

a certain manner. For example, you may have a gene which may provide salt-tolerance. Another may provide tolerance against high temperature; and so on. There can be a variety of genes which relate *to* specific characteristics and functions. One can now move these genes physically using laboratory techniques. Originally, of courss, all these could only be moved within a species. But now it is possible to take hold of genes which are available in this wild material and transpose them across the sexual barriers to introduce them into other species and thus make use of them for a variety of purposes. This is a very rich wealth that we have with us today. Therefore, I would like the Ministry of Environment and Forests not to—of course, it has nothing to do

with the present Bill which I fully support—jnst look at the concept of wild life in terms of the large animals, or in terms of all the regulations required for their protection; but think on more holis-stic terms I hope that they will see to it that there are new efforts, whether it happens to be legislation or it happens to implementation programmes *to* ensure that other aspects of wild -life- in the under sense are taken care of . I would tike to emphasise that we should be aware that if we do not do this things will rapidly deteriorate. Already we know that if you go to the Himalayan region, for instance, there are a large number of places where people pick-up *jadi-booti,* right from the root itself, and bring it away. They are not taking; only what is really by them required. They are. in fact, digging out and car

rying away the entire plant, and the loss is far ever. In fact, the only way to get over this is, if one ensures that these people are provided back-up safe at in order to grow these plant materials and make available to buyers eg. those who require them—particularly for instance, in the case of diascorea and so on, there are large markets have grown it. But it takes several years to grow these various plants and therefore the growers. require support over this period.

The other point which is important. whether it is a sanctuary for wild life-in the form of large animal or whether it is for the bio-diversity purposes, is long-term tenurial security. In the absence of that, what happens is that what is today defined a sanctuary, defin ed as a preserve, can be changer due to other pressures and this has been repeatedly happening. I know of a very particular controversy, and the hon. Mi nister is familiar with it, of a cement plant planned to be located in one of the States of the country which would damage a sanctuary. Now we should not have a situation in which the genetic diversity and the preservation of this which has to be on a long-term basis is jeopardised by short term decision which are taken. Therefore, once on the basis of scientific analysis, it has been decided *to* keep a certain area for a certain purpose, then changes in it should only be done on the basis of an equally elaborate analysis. Therefore, I think it is important that there is long terms tenurial security and legal protection needed for this. I hope that the-hon. Minister will work out a new programme for conservation of bio-diversity. (across the whole spectrum that I mentioned, of micro organisms, of plant resources apart from the economic and crop varieties of the forest genetic resources. marine geneic resources. Of course, in the case of his department, he will be particularly concerned with *in situ* conservation. But there are other Ministries in the Government of India which can deal with the other aspects. And so I think that an integrated approach of a National Board is called,

for which I would strongly recommend to Government Thank you very much.

THE VICE-CHAIRMAN (DR. NAGHN SAIKIA): Now Mr. Suresh Pachouri Every Congress Member will get ten minutes' time. So, you please confine yourself to the time.

श्री सुरेश पचौरी (मध्य प्रदेश) : माननीय उपसभाध्यक्ष महोदय, आज जब वाइल्ड लाइफ प्रोटेक्शन अमेंडमेंट बिल 1991 पर चर्चा हो रही है तो यह बड़ा महत्वपूर्ण मौका है । महत्वपूर्ण अवसर मैं इसलिए मान रहा हूं कि हमारे पर्यावरण एवं वन मंत्री के कार्यकाल में राज्य सभा में यह पहला बिल यहां चर्चा के लिए आया है, वहीं दूसरी ओर इस चर्चा में जो प्रथम वक्ता रहे आदरणीय मेनन जी, उनका आज जन्म दिन भी है । मैं उन्हें बधाई देता हूं ।

SHIR VITHALRAO MADHAVRAO JADAV VMaharashtra): Mr. M. G. K. Menoer is not only a Member of Parliament but he is an outstanding scientist of our country and l I wish him a happy birth.

श्री सुरेश पचौरी : महोदय, उन्होंने इस बिल पर चर्चा करते समय बड़ी सार्थक सुझाव दिये और इस बिल का समर्थन किया । यह अभिनन्दनीय है । सान्दर, वाइल्ड लाइफ प्रोटेक्शन अमेंडमेंट बिल, 1991 एक सराहनीय और सामयिक प्रयास है । जो वाईल्ड लाईफ (प्रोटेक्शन) अमेंडमेंट एक्ट, 1972 में बना था, यह उसका संशोधित रूप है । उसको प्रस्तुत हुए लगभग उन्नीस वर्ष हो गए और ऐसी आवश्यकता महसूस की गई कि वर्तमान समय के अनुरूप उस एक्ट मे कुछ संशोधन प्रस्तुत किये जायें, ताकि एक्ट में जो भावनायें दर्शायी गई है. उसके अनुरूप वांछित परिणाम निकल सकें ।

यह संशोधित प्रस्ताव बोर्ड फार वाईल्ड लाईफ की स्टेंडिंग कमेटी की अनुशंसा के आधार पर तथा विभिन्न मंत्रालयों की रेकोमेडेशंस के आधार पर लाये जा रहे हैं । महोदय, हमें गर्व है कि हमारे देश में पशु-पक्षियों की अनेक जातियां हैं, जो संख्या में इतनी ज्यादा हैं जो दूसरे देशों की तुलना में बहुत अधिक हैं । जंगल के जो प्राणी हैं, वह हमारे गूंगे दोस्त हैं । उन्हें इन्सान से दया सहानुभूति, प्रेम, करूणा और संरक्षण मिलना चाहिए—ऐसा हम लोग महसूस करते हैं ।

इसके लिए यह जरूरी है कि हम जन-मानस में जागृति पैदा करें और इसके लिए यह भी जरूरी है कि सरकार वाईल्ड एनिमल्स को प्रोटेक्शन दे पाये, इसके लिए यथेष्ठ एवं कारगर प्रयास करे ।

महोदय, आदिकाल में हमारे पूर्वजों की भी धारणा थी कि वन्य जीवों की रक्षा होनी चाहिए, उन्हें संरक्षण मिलना चाहिए, क्योंकि वह वन्य जीवों की महत्ता व उपयोगिता को समझते थे । इसलिए वह इस बात के हिमायती थे कि उनकी हिफाजत करना बहुत जरूरी है । इसलिए उन्होंने दूरदर्शिता का परिचय देते हुए वन्य जीवों को धार्मिकता से जोडा, क्योंकि वह जानते थे कि यदि हम वन्य जीवों को धार्मिकता से जोड़ेंगे, तो आम आदमी के लिए धर्म का उल्लंघन करना काफी कठिन हो जाएगा । जैसे ऋगवद के अध्याय आठ में गाय के लिए कहा गया है कि—

"माता रुद्राणां, दुहिता वसूनां । स्वसा आदित्यानां, अमृतस्य नाभिः ॥
प्रनु वोचं चिकितेषु जनाये मा गां अनागां. अदिति वधिष्ट ॥

[ऋग्वेद 8.90.15]

यानी जो गोमाता है, वह रुद्र की मां है, वसु की लड़की है, पुत्री है, आदित्य की बहिन है और अमृत की नाभि है, इसलिए उसे कष्ट नहीं पहुंचाना चाहिए, क्योंकि वह हमारी देवी है । तो हम इस ढंग का, इस प्रकार का स्वरूप धर्म से जोड़ते हुए वन्य जीवों का हमारे बजुर्गों ने आदिकाल से प्रस्तुत किया है ताकि वन्य जीवों को किसी प्रकार की क्षति न पहुंच पाये, वन्य जीवों को संरक्षण मिल पाये और जन-मानस के मन में भी उनके प्रति न केवल दया और करुणा

[श्री सुरेश पचौरी]

का भाव हो, बल्कि उनके प्रति सहानुभूति हो और वे उनको संरक्षण प्रदान कर सकें।

माननीय, भारतीय संविधान के अनुच्छेद 48(क) में शासन से यह अपेक्षा की गई है कि शासन वन्य जीवों को सुरक्षा प्रदान करे। अनुच्छेद 51 (क) में भी इस बात का उल्लेख है और नागरिकों को यह निर्देशित किया गया है कि प्राकृतिक पर्यावरण जिसमें वन, झीलें नदियां व वन्य जीव प्राणी शामिल हैं,... आम नागरिक उनकी रक्षा करें व सभी वन्य प्राणियों के प्रति सहानुभूति दर्शाएं वन्य जीव (संरक्षण) कानून के तमाम प्रावधानों के बावजूद भी हमें बड़े अफसोस के साथ कहना पड़ रहा है जब हम इस बिल पर यहां चर्चा करने जा रहे हैं कि हमारे देश के विभिन्न वन्य जीवों और पशु-पक्षियों का अस्तित्व खतरे में पड़ा हुआ है उन पर संकट के बादल मंडरा रहे हैं, उनकी जान को खतरा है और उनकी जान को विशेष रूप से उन नर-पिशाचों से खतरा है जो इन वन्य जीवों के अंगों का तस्करी करते हैं। उनको खतरा उन आकाओं से है जिनके संरक्षण में वन्य जीवों का शिकार किया जाता है। उनको खतरा उन लोगों से है जिनके ड्राइंग रूम्ज में बड़े फक्र और वर्ग के साथ उन वन्य जीवों के विभिन्न अंगों का प्रदर्शन किया जाता है, ड्राइंग रूम्ज में सजाकर रखा जाता है। उन प्रशासकीय अधिकारियों से उनको खतरा है जो निर्भीकता से इन वन्य जीवों का शिकार करते हैं और शिकार करने के बाद उनके विभिन्न अंगों को अपने घर में रखते हैं। उन अंगों को विदेशों में भारी कीमत लेकर तस्करी के रूप में बेचते हैं और इस सब काम में उन्हें सहयोग, मुझे बड़े दुख के साथ कहना पड़ रहा है कि उन वन अधिकारियों का भी मिलता है जिनसे यह अपेक्षा की जाती है कि वे वन्य जीवों की रक्षा करेंगे, वे अवैध शिकार को रोकेंगे। इसलिए यह जरूरी है कि हम उन सब प्रावधानों पर विचार करें। जब हम इस बिल पर चर्चा कर रहे हैं जिस बिल में वह भावनाएं छिपी हुई हैं कि वन्य प्राणियों की रक्षा किस ढंग से की जाएगी। कई बार जो जादू-टोना और टोटका होते हैं उसके लिए वन्य प्राणियों को मौत का शिकार होना पड़ता है। कुछ आदिकाल की परंपराएं हैं कि लोग कहते हैं कि बकरे को चढ़ा दीजिए देवी आपसे प्रसन्न हो जाएगी : इन वन्य प्राणियों को आप देवी के सामने समर्पित कर दीजिए आपकी मन वांछित आकांक्षा पूरी हो जाएगी। इन सारी चीजों पर रोक लगना जरूरी है कठोरता से इस पर यह देखना जरूरी है कि इस प्रकार के जादू-टोने और टोटकों के लिए इन वन्य प्राणियों का उपयोग न हो पाए और इसके लिए जरूरी है कि सरकार इस सब के लिए कड़े कदम उठाए।

महोदय, मैंने अवैध शिकार की बात की है। विदेशों में अवैध शिकार को रोकने के लिए कई प्रकार के तरीके, कई प्रकार की कोशिश की जाती है। जैसे अफ्रीका में हेलीकाप्टर से अवैध शिकारियों की तलाश की जाती है। जांबिया में जो वनस्पति रंग के कपड़े हैं वह दस्तबल को दिये जाते हैं ताकि जो शिकारी हैं वह यह न देख पाए कि दस्तबल आ रहा है। वह उसी रंग के कपड़े पहने रहते हैं। इसी प्रकार से चीन में जो बिजली की तारें होती हैं उनका प्रयोग अवैध शिकार को रोकने के लिए किया जाता है। इसलिए हमारे

देश में भी अवैध शिकार को रोकने के लिए इसी प्रकार की व्यवस्था करने के बारे में विचार करना चाहिए, ऐसा मेरा माननीय मंत्री जी से अनुरोध है । यह दुर्भाग्यजनक है कि हमारे देश में वन्य प्राणियों की संख्या की जो हत्या हो ही है वह दिन-प्रतिदिन बढ़ रही है, इसके लिए सरकार को और समाज को पहल करनी चाहिए वरना जो प्राकृतिक धरोहर है उससे आगे आने वाली पीढ़ी वंचित रह जाएगी ।

इन सब बातों को ध्यान में रखते हुए यह विधेयक लाया गया है जिसमें यह प्रस्ताव है कि सभी वन्य प्राणियों के शिकार को रोका जाए और उल्लंघन करने पर कठोर कार्यवाही की जाए, अपराध को रोकने के लिए सहायक लोगों को पुरस्कृत किया जाए । इसके लिए वाइल्ड लाइफ वार्डन्स की नियुक्ति का प्रावधान किया गया है । वन्य प्राणियों की मृत्यु रोकने हेतु कंपलसरी इम्युनायजेशन करने की व्यवस्था की गयी है । स्थानीय लोगों, विशेष रूप से ट्रायबल्स के अधिकारों का ध्यान रखते हुए एक्ट के उपबंधों को अधिक प्रभावी बनाया जाय, यह भी प्रावधान इसमें किया गया है । वन्य प्राणियों के संरक्षण के लिए चिड़ियाघरों का समुचित प्रबंध सेंट्रल जू अथारिटी के द्वारा किया जाय, इसके लिए जरुरी है कि जो एडमिनिस्ट्रेशन और मैनेजमेंट है, उसके लिए मंत्रीजी कुल नार्म्स तैयार करें । अफ्रीकन हाथी दांत का इम्पोर्ट और एक्सपोर्ट कामर्सियल मकसद के लिए रोका जाय, ऐसा प्रावधान इस बिल में किया गया है । इस तरह जिन उद्देश्यों की पूर्ति के लिए यह बिल लाया गया है, निश्चित रुप से उसकी भावना बहुत अच्छी है, लेकिन यह एक महत्वपूर्ण चुनौती है... (समय की घंटी) इसका केवल समर्थन करने मात्र से काम नहीं चलेगा बल्कि हमें देखना होगा कि जो एक्ट 1972 में लाया गया था, उसका वायलेशन करने के लिए कितने लोगों के खिलाफ अभी तक कार्यवाही की गयी ? अवैध शिकार जिन लोगों ने किया हो, चाहे अवैध हाथी दांत की तस्करी जिन्होंने की हो, चाहे खाल या वन्य प्राणियों के और अंगों की तस्करी की हो या उनका व्यापार किया हो या चाहे नेशनल पार्क व सेंचुरीज तथा चिड़ियाघर के बेहतर प्रबंध की बात हो— जिन लोगों ने एक्ट 1972 का वायलेशन किया, उसके लिए उनके खिलाफ क्या कार्यवाही की गयी, यदि हम इन पर नजरें दौड़ाएंगे, यदि इन प्रश्नों का उत्तर माननीय मंत्रीजी खोजेंगे तो निश्चित रूप से जो यह संशोधित प्रस्ताव वह इस बिल के रूप में लाए हैं, उससे उन भावनाओं की पूर्ति होगी जिन भावनाओं को मद्दे नजर रखते हुए मंत्री महोदय ने यह बिल यहां प्रस्तुत किया है ।

महोदय, माननीय मंत्रीजी बहुत ऊर्जावान हैं । मुझे उम्मीद है कि यह जो गतिशील कदम वे उठाएंगे, उससे इस बिल में जो भावना छिपी हुई है, उससे वन्य प्राणियों की रक्षा हो पाएगी, ऐसा मेरा विश्वास है । इन्हीं शब्दों के साथ यह जो वाइल्ड लाइफ प्रोटेक्शन एमेंडमेंट बिल, 1991 यहां प्रस्तुत किया गया है, उसका मैं समर्थन करता हूं ।

*SHRI MD. SALIM (West Bengal): Mr. Vicel-Chairman, Sir, I congratulate the Hon. Minister for moving this Wild Life (Protection) Amendment Bill, 1991. There was a time when it was difficult to save human beings from animals. But now in the present advanced state of civilisation we are faced with difficulties in protecting our animajn from human beings. A Third-world country like India is already plagued with problems like population explosion, poverty and economic crisis and, as a result, the life has become a burden to most of the people here. In such a situation, it is difficult to think of pio-tecting our Wild Life. I do not think it will be possible for us to protect Wild Life by enacting a law of this nature. The Wild Life (Protection) Act was enacted in 1972. It remained in force for eighteen years. But it was felt that the Act of 1972 should be made more

* English translation of the origmal speech delivered in Bengali.

[Shri Md. Salim]

effective. It was also our experience that the Act of 1972 was not implemented in right earnest equally in all parts of the country.

The present amending Bill seeks, to protect our valuable plants along with Wild Life. I welcome this change. This Bill also seeks to extend National Parks and Sanctuaries to Offshore areas. I also welcome this move on the part of the government.

I welcome the prohibition of poaching of animals. I also welcome the move of the government to associate the people in preventing the poaching of animals. I again welcome the setting UP of Central Zoo Authority.

This Bill seeks to prohibit collection of certain species of plants for commercial purposes. It also seeks to prohibit ivory trade. I welcome these measures on the part of the government. But We shall have to think of providing alternative sources of livelihood to those artisans who are connected with ivory trade.

It is not difficult to relane the restrictions in regard to certain cases in collection of endangered species of plants. But, it is difficult to see the relaxations are observed in specified cases only.

People live in reserved forests and sanctuaries. They also live around such places. We cannot protect our Wild Life and plants to the exclusion of local population of such places. So the local population should be educated for the task of preserving Wild Life and plants Our mass media can play an important role in educating the people for such a task. I particularly emphasise upon electronic media. But this electronic media is mainly utilised for spreading coasumerisim. The Hon. Minister of State for Information and Broadcasting is present here. During the past few years, hardly any good tele films on the importances of Wild Life and forests have been produced for the benefits of Our children and adult population so that they can be inspired to protect our wild life and forests. There is not much in our text books which can make our children grow love for Wild life and forests. Childhood is the proper time for growing consciousness for the importance of nature and ecology.

1 think, through inter-ministerial ar rangements, electronic media will be uti lised in a greated measure to educate the public about the importance of Wild; Life and forests so that they can be inspired to protect them. A few days ago, 1 went to Sikkim. Budhism taught us love for animals. I saw tne sale of deer skins before Tibetan Refugee Camps. I also visited Tripura a few days ago. There the Chief Minister was to inaugurate "Vana Mahotsava". Posters have been printed to that effect, by the Timber Merchants Association. But these Timber Merchants are actually engaged in destroying the forests. I do not know what kind Of "Vana Mahotsav" they were observing. It is not the case of a particular State. It is also not a partisan question. Forests are being destroyed almost in all the States in India. If we allow the destruction of forests, we cannot expect to save Wild Life.

Since 1972 to 1982, we have lost 91,700 square Kilo metre areas of forest. From Satellite pictures we have come to know that every year we are losing 15,000 square Kilo metre areas of forests. The Hon. Mitvstei- has come from Madhya Pradesh. It is the biggest State with low density of population. Therefore. proper arrangements can be made to preserve forests there. In 1956. when the State of Madhya Pradesh came into existence, the forest cover was 45 percet.. Now it has been reduced to 15 percent T draw the attention of the Hon. Minister to this fact. Therefore, I would like to submit that simply by enacting a legislation you cannot stop the destruction of forests unless you implement the law in right earnest.

I shall give an example from the Survey Report published by Indian Institute of Public Administration. Out of Fifty-two responding National Parks, only twenty-one National Parks have completed the legal formalities of estab-

lishment required by tne Wild Life (Protection) Act, 1972. Similarly, tow hundred and nine sanctuaries who responded. only sixteen sanctuartes took such action. So, such a small number of National Parks- and Sanctuaries applied the Act of 1972 in right earnest. The enactment of the present Bill is, therefore, no guarantee for the, protection of Wild Life.

I .propose that Bufier Zones should be set up around National Parks and Sanctuaries. I also demand that we should meet the basic needs of people living in and around National Parks and Sanctuaries We cannot' solve the problems of our National Park and sanctuaries simpy by fencing them around. Prof. Menon has also said that we should take holistic approach to the problem.

We should break the nexus between cont actors and a group of corrupt politicians and forest Officials. These contractors in collusion with forest officials are destroying wild life and forests, We stall have to stop the forest contract system. We invite these contractors for the destruction of our forests. I have seen, such a nexus among contractors, forest officials and politicians in Madhya Pradesh. Orissa and other places. They are involved in poaching of animals and illegal trade of animal skins and ivory. Sa, we shall have to destroy the corrupt dens of these undesirable elements.

Adivasis are historically associated with the forests. They are lured by outside contractors to help them in the destruction of forests and forest life.

The law and order situation has deteriorated in Assam. There secessionist elements are moving about fully armed with automatic weapons. Today's newspaper has reported that they have killed four persons. One of them is an Ex-Minister of the State. So. when people are not safe there, how can we expect rhinos to be safe there? According to News paper reports, rhinos are being killed there very often.

The success of Project Tiger should encourage us to start an elephant project very soon in order to save them from extinction. For this purpose we should set up some special breeding centres like crocodile breeding centres'. We know that crocodile breeding centre in West Bengal has become successful. I welcome the immunisation plan. But, at the same, we should give more emphasis upon breeding centres for endangered species of animals. Zoos should be associated with this breeding work.

We are going to set up Zoo Authority of India. But this Authority should not be a place for providing jobs to some favourites of the government. It should not function like other Authorities in the Country. It should be utilised for giving training in Zoo management. We should'. create natural surroundings in the Zoos so that animals can feel that they are in 'heir natural habitates.

In this connection, I would like to refer to the Zoo located in the Eastern Himalayan range at Darjeeling. It is one of the best places in Asia. There more projects can be undertaken The government Of West Bengal has got some pending projects for that Zoo. Funds should be provided to the government of West Bengal for those projects. The West Bengal government has also a project to set up a Marine Park at Sagar Island. The Central Government should assist that project financially.

Thank you.

*SHRI S.S. AHLUWALIA (Bihar): Sir! I am inspired to speak in Bengali after hearing the speech of Shri Md. Salim. As I shall have to give notice for that, T shall speak in Bengali some other day. Today I shall speak in Hindi. For that I need the permission of the Secretariat because they will provide the Interpreter.

4.00 P.M.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA): The facility is available.

SHRI S. S. AHLUWALIA: It is all right.

*English translation of the original speech delivered in Bengali.

[Shri S. S. Ahluwalia]

उपसभाध्यक्ष महोदय, वन्य जीव (संरक्षण) संशोधन विधेयक, 1991 हमारे सामने आज विचारार्थ उपस्थित किया गया है। मैं इसका समर्थन करने के लिये खड़ा हुआ हूं। जुग-जुगान्तर से भारतवर्ष में मानव जीवन वन्य प्राणियों के साथ जुड़ा हुआ है। आप किसी भी देव-देवता की अगर तस्वीर देखें, किसी भी देवी की तस्वीर देखें तो उसके साथ किसी न किसी वन्य प्राणी या किसी वन्य पक्षी की तस्वीर साथ नजर आ जाती है और हमारे धर्मशास्त्रों में किस तरह वन्य प्राणियों की रक्षा करने के लिये हमें नाना उपदेश दिये गये। चाहे आप गौतम बुद्ध की वाणी पढ़ लें, चाहे महावीर की, चाहे नानक, चाहे कबीर को पढ़ें, चाहे चैतन्य महा प्रभु को पढ़ें, चाहे जयदेव को पढ़ें, चाहे नाम देव को पढ़ें, सारे भारत में चारों तरफ चाहे पूरब में जायें, चाहे पश्चिम में जायें, चाहे उत्तर में जायें, चाहे दक्षिण में जायें, हर जगह आपको एक ही वाणी, मिलेगी, जो वाणी आपको वन्य जीवन, वन्य प्राणियों की रक्षा करने के लिये उपदेश देती है।

हमने देखा है, हमारे ही धर्म में ही, हमारे देश में भी एक और भी प्रथा चलती थी, जहां बलियां चलती थीं। मेरे पूर्व वक्ता सुरेश पचौरी जी कह रहे थे कि बली की प्रथा रोकने की जरूरत है। भारत में वैदिक काल में वाकई एक दिन ऐसा था, जब अश्व बलि हुआ करती थी, घोड़ों की बलि हुआ करती थी और वह घोड़ों की बलि इसलिये हुआ करती थी कि घोड़ों का उपयोग हमारे पास में इतना ज्यादा नहीं था और इतने ज्यादा अश्व थे, इतनी ज्यादा उनकी संख्या बढ़ गयी थी कि उनकी बलि करनी पड़ती थी। वैदिक काल के बाद आगे फिर से जो धर्म परिवर्तन करने के लिये धर्म - प्रचारक पैदा हुए, उन्होंने इस तरह का प्रचार किया कि किसी भी जीव-जन्तु की बलि नहीं होनी चाहिये। मैंने जितने भी महात्माओं का नाम लिया है, यह सारे के सारे धर्म प्रचार करने के लिये ही इस पृथ्वी पर आये थे और इन्होंने एक नया रास्ता दिखाया था।

उपसभाध्यक्ष महोदय, एक बड़ साधारण सी बात है, कि हमारे जीव के साथ किसी तरह जुड़ा हुआ है— हर एक आदमी काम करते वक्त कुछ न कुछ ग्रहण करता है। अल्सर की एक दवा है—पैप्सोल। एक डाक्टर बहुत शिकारी था और वह शकार करने गया तो उसने देखा कि एक बाघिन पपीते के गाछ को खरोंच-खरोंच कर उस पपीते के दरख्त का दूध निकाल रही थी और उसको बार-बार चाट रही थी तथा उस शिकारी की आहट देखने के बावजूद भी वह भाग नहीं रही थी। अन्त में उस डाक्टर ने, शिकारी ने उसको गोली मार दी और वह घायल होकर गिर गयी, मर गयी। तब बाद में डाक्टर के दिलो-दिमाग में एक बात आयी कि आखिर आहट सुनकर यह भागी क्यों नहीं थी इसने मेरे ऊपर आक्रमण क्यों नहीं किया? तो उसने जब आपरेट करके देखा तो उसके पेट में एक अल्सर था जिस अल्सर का दर्द उस वक्त उसको उठ रहा था और वह पपीते के गाछ को छील रही थी, जिस गाछ से उस पपीते का सफेद दूध निकल रहा था और उस दूध से उसको राहत मिल रही थी, वह उसको चाट रही थी, वह दवा खा रही थी। तो उपसभाध्यक्ष महोदय, वहां से शुरूआत हुई, उस पैप्सोल दवाई की, पर वहीं से शुरूआत हुई इस शिक्षा की भी कि वन्य प्राणियों के साथ-साथ हमें यह भी सोचना चाहिये, उनका इम्प्लीमेंटेशन तो हम बुलेट से करते हैं। पर जो प्राणी हमारी नजर में नहीं आते, उनको प्रकृति ने, भगवान ने, सृष्टिकर्ता ने बताया हुआ है, कि कौन से दरख्त में या कौन से कंद में या कौन से मूल में तुम्हारे इलाज की व्यवस्था है। उपसभाध्यक्ष महोदय, क्या कभी नेवले को उसकी मां सिखाती है कि तम्हें सांप काट लें, तो तुम्हें क्या इलाज करना है? उसे पता होता है कि सांप के काटने पर कौन सी जड़ी-बूटी खाने से या कौन सी चीज संघने से उसका इलाज हो सकता है और सांप का जहर उतर सकता है।

महोदय, जब हम वन्य प्राणियों की बात करते हैं तो उसके साथ प्लांट्स की भी बात आती है और इसके लिए 1972 में एक संशोधन भी लाया गया था लेकिन मुझे अफसोस है कि हमने अभी भी जिन प्लांट्स को

आईडेंटिफाई किया है, कहने को तो मंत्री महोदय कहेंगे कि वे एक्सटिंक्ट हो रहे हैं, पर मेरा कहना है कि उनकी रक्षा करना बहुत जरूरी है क्योंकि उन्हीं के माध्यम से वन्य प्राणियों को उनकी दवा दारू मिलती है।

वैसे हमें भी मेडिसिनल प्लांट्स की जरूरत है। उपसभाध्यक्ष महोदय, आपको पता होगा कि रामायण में एक प्रसंग आता है कि जिस समय लक्ष्मण जी घायल हो गए और वैद्यराज ने कहा कि संजीवनी बूटी लेकर आओ, तो हनुमान जी वह संजीवनी बूटी लाने गए थे। उनको उस बूटी की पहचान नहीं थी इसलिए वे पूरा पर्वत उठाकर ले आए थे। महोदय, आज जब हम विदेशों में जाते हैं तो दुकानों पर भंडार लगे हुए हैं और हम स्विटजरलैंड से, कोरिया से, चाईना से, हांगकांग से हर्बल दवा यां मंगाते हैं। उपसभाध्यक्ष महोदय, जब हम वन्य प्राणियों के साथ साथ प्लांट्स की बात करते हैं तो हम मैडिसिनल प्लांट्स और आयुर्वेदिक प्लांट्स जो जंगलों में लगे हुए हैं, उनकी रक्षा की कोई बात क्यों नहीं करते ? उनके बारे में हम क्यों नहीं सोचते ? हमें आज वे चीजें बाहर से मंगानी पड़ती हैं।

महोदय, केरल में आयुर्वेदिक वैद्यशाला कोडकल में है ; उनको ये दवाइयां बनाने के लिए एक बन लगाना पड़ा है जहां पर वे इन दवाइयों के लिए उपयोगी पौधे लगाते हैं। महोदय, आज कितने लोगों को पता है कि अशोक वृक्ष की छाल लगा देने से हृदय रोग के मरीज को राहत मिलती है। पर आज वह अशोक वृक्ष ढूंढने के लिए दूरबीन लेकर जाना पड़ता है। चरक-संहिता अगर पढ़ी जाए तो आपको पता लगेगा कि इन वनों में कितनी मूल्यवान संपदा पड़ी हुई है जो आहिस्ता-आहिस्ता खत्म होती जा रही है क्योंकि न तो हम उन्हें पहचान पा रहे हैं और न ही उनकी रक्षा कर पा रहे हैं।

[उपसभाध्यक्ष (श्री शंकर दयाल सिंह) पीठासीन हुए]

उपसभाध्यक्ष महोदय, मैं आपका ध्यान इस बात की ओर भी आकर्षित करना चाहता कि मंत्री जी यह विधेयक ला रहे हैं तो ये जिस प्रदेश से, मध्य प्रदेश से चुनकर आए हैं, वहां वन्य प्राणी और जंगल बहुत हैं पर दुर्भाग्य की बात है कि कुछ दिन पहले मध्य प्रदेश सरकार ने एक आर्डर दिया है कि नीलगाय को शूट कर दिया जाए। मध्य प्रदेश में नीलगायों की संख्या काफी है। जब आपके फारेस्ट मैनेजर या फारेस्ट गार्ड यह नहीं पहचान सकते कि यह नील गाय है या नहीं तो मारने का आर्डर जो आप दे रहे हैं वह किस बेसिस पर दे रहे हैं और किसकी तरफ से दिया जा रहा है। बड़े अफसोस की बात है कि जब हम वन्य प्राणियों की रक्षा के लिए एक विधेयक ला रहे हैं उसी वक्त एक हफ्ता पहले एक आर्डर पास किया गया नील गाय को शूट करने का आर्डर दिया गया है। एक दो नहीं हजारों की संख्या में वह होगी और उसके लिए एक रास्ता निकाला गया है कि वह खेतों में आ जाती हैं और खड़ी फसल को खा जाती हैं। कल को कोई आदमी कहे कि मैंने तो गोली इसलिए चलाई कि वह मेरी टेरिटरी में आ गई थी तब आप क्या करेंगे ? माननीय उपसभाध्यक्ष महोदय, मुझे एक किस्सा याद आ रहा है। नागालैंड का कुछ हिस्सा आसाम के साथ होने से वहां से होकर जाना पड़ता है। तो नागालैंड के एक बहुत नामी ग्रामी सरदार जी थे सरदार गुरबचन सिंह जो दीमापुर के रहने वाले थे,। उन्होंने एक बार एक टाइगर को मार दिया और वह आसाम रोड़ पर मारा। आसाम रोड़ पर मारा गया तो उनकी कोर्ट में पेशी हुई और उनको बुलाया गया। तो उन्होंने कहा कि मैं जो जंगल में नहीं गया था, मैं तो नेशनल हाइवे पर जा रहा था और यह टाइगर जिसका काम जंगल में रहना था वह नेशनल हाइवे पर आ गया जिससे मेरी मौत का खतरा हो गया तो मैंने सेल्फ डिफेंस में गोली चलाई और वह मर गया। तो आपका यह विधेयक किसको प्रोटेक्ट करेगा ? मारने वाले को या मरने वाले को ? आसाम के दोनों तरफ जंगल हैं और बीच में से होकर सड़क निकलती है। कई बार जंगल में इधर से निकलकर जानवर उधर जाते हैं और उधर से निकलकर इधर आते हैं तो उस के लिए आपका विधेयक क्या कहता है ?

उपसभाध्यक्ष महोदय, इस विधेयक की जब शुरूआत मेनका गांधी जी ने की थी उस वक्त दिल्ली शहर में हर अखबार में एक भालू नचाने वाले की तस्वीर छपा करती थी और उस भालू मुन्ना को कैद कर लिया

गया था । उसने कई दिन तक खाना नहीं खाया । अखबारों में, मैगजीनों में बड़े ऐडिटोरियल लिखे गए, मुन्ना की तस्वीर छपती थी, नचाने वाले की और पुलिस वालों की छपती थी और यही फैसला नहीं हो पा रहा था कि उसे कहां रखा जाए । तो सरकस के बारे में तो आपने सोच लिया, लेकिन हिन्दुस्तान में जहां हर तरह की कलाबाजी दिखाने वाले लोग हैं, भालू नचाने वाले हैं, बंदर नचाने वाले हैं, तोता और मना का खेल दिखाने वाले हैं जिनके घरबार नहीं हैं; जो आर्गनाइज्ड नहीं हैं, दरख्त के नीचे सोते हैं, उनके बारे में आपका विधेयक शान्त है । कहीं ऐसा तो नहीं कि उनकी रोजी रोटी छीन ली जाएगी, उनके पशु-पक्षियों की रक्षा न हो । तो जिस तरह से आपने सरकस को रिकाग्नाइज किया है, उसी तरह से इनको भी लाइसेंस दें, उनको पशु-पक्षियों का मुफ्त मेडिकल चैक-अप हो, इम्युनाइजेशन हो । यही कहते हुए मैं आपको धन्यवाद देता हूं ।

SHRI GOPALSINH G. SOLANKI (Gujarat): I rise to support the) Bill. The Wildlife (Protection) Act was enacted in 1972 replacing the Wild Birds and Animals (Protection) Act, 1912 because that was not co.mmensurate with the offence committed and the profit which accrued out of the particular illegal trade.

After 19 years of the enactment of this Act,, we find this amendment which I support. This amendment contains many revolutionary ideas, about setting up a Central Zoo Authority empowered to look after the administration, functioning, and the co-operative use in acquisition of the ahimals for breeding. At the same time, I feel, the Act has not fulfilled its objective during the last 18 years. Some news published in this regard make a remarkable reading. The Washington Research Institute has observed that the rate of deforestation is laboul; 15,000 sq. Km. annually in our country. According to W.F. report illicit trade in poaching is rampant in our country. In February last, the Wild the department seized the skins' of 29 ' pards, 2 tigers, 30 jungle cats and one leopard cat along with .3.0 of tiger bones during the raids in Sac Bazar in Delhi. In 1988, 44,849 w animal skins including 10 leopard *M* were seized; in 1989, the number 479, and in the first 4 mon of 1990, the number was 6603 would further like to say that ta which were made out by the concern department, were not instituted in 1 courts-of Iaq at an early point of Ira This shows slackness . on the . part. administration and on the part of t officials. Either .it. may be due to. a political pressures or it may be with sor ulterior motive best known to the admin tration. There has been a laxity on 1 part of administration "since the irtdodi tion of the Act. The Indian Institute Public Administration 'had also report that the main, objective of the Act afi its enactment in 1972 has not been f filled at all, and from their report we fi that out of 52 cases, only 21. had report their compliance with' the formalities case of National parks, and in case sanctuaries also, only 16 out 209 co pleted the required .formalities. T5 shows that there is a lacuna in admin tration which failed to remind the Co cerned people to" complete the forma ties. If such lacunae and lapses administration are allowed, to . go on, .t aims and. objectives .of the Act and requirements of the law will not be mi The object of this particular laws , to be fulfilled with the preservation forests also. As my friend Mr. Mall said, in Madhya Pradesh, about 45 cent of the land was covered under- f< ests. But at present, it is. only. 15 r. cent, This has been due *to* the increa in population and the wildlife popul tion has been decreasing day by di This requires stern action on the part the officers so far as the enforcement this Bill is concerned. Without perfe tion, the object cannot be fulfilled. Wi

these words, I support the Bill. At t same time, so far as" the provisions i garding penalty are concerned, it Rs. 25,000 or three years' imprisonme for the first offence. When compared the fine, the period of Sentence is ti less. And in case of the professional fenders," the period' of imprisonment

six years. With all these provisions, the Government has failed to make the off-fence cognizable. In other words, these are non-cognizable. Now, the Chief warden can lodge a complaint in a court of law and also, even an individual is em-nowered to file a case in a court of law. If it is made cognizable, the police could lake action against the culprits. They could arrest or take action against the criminals. One thing which has been provided for in this Bill, namely, the use of snake venom as a life-saving drug, is commendable. With these words I support this Bill.

SHRI KHYOMO LOTHA (Nagaland): Sir, I rise to speak in support of (he Wildlife Protection (Amendment) Bill. 1991. Most of the Members who have spoken on this Bill have supported this Bill. Not only toe Parliamentarians but the king of animals, elephant, also seems to have welcomed this Bill. Shri Ahlu walia referred to the State of Assam. Recently, a group of elephants came out of the forest on National Highway 37 and blocked the traffic. But they did not harm the human beings or damage the vehicles. When they were offered fruits and eatables, they gave way to the vehicles. From this, we understand that when we leave the elephants alone, they leave us alone. Both animals and man have been existing since the crea tion of universe. From the Biok of Genesis in the Bible, it may be recalled that God created plants and animals even before the human beings were created. This is bacause the life of man depends on wildlife. Therefore, from the very first day of creation of this universe, animals and plants were there.. Afterwards, after the creation of Adam and Eve, when the population increased, man began to sin. God wanted *to* remove the sinful people from the face of the Earth. But he wanted to preserve one family, namely, of Noah. God decided to flood the whole Earth. Then, he called Noah and asked him to build an Ark. He wanted that all animals, species of all animals, in pairs, should be taken into the Ark. This is how we see that animals were preserved and. protected because the life of Iranian beings depends on animals and other creatures.

Sir. I am glad that this amendment, while trying to protect animals, birds and plants, has not forgotten human beings, specially, the tribals. The tribals who live in and around the forests depend on animals and other produce for their livelihood. But we should remember here that the tribals do not kill animals for the sake of killing. It is only the businessmen, it is only the poachers, who trade and export these things, who are the real enemies of ihese animals. Besides this, I would say that the teal enemies of these animals are urbanisation and deforestation.

I was here, in Delhi, in 1963, as a student. Delhi, at that time, was coveted with forests and there were a lot of wild animals in these forests in those clays. I do not know where they have disappeared now. All these have now been turned into concrete trees and con-crete forests. The wildlife has disappeared. Therefore, we should see that not only the medicinal herbs are protected, but forests as such are protected.

Here. I would like to point out a glaring thing. When I was a Member of the Committee on the welfare of Sche duled Castes and Scheduled Tribes, we visited Kalahandi District in Orissa and Bastar District in Madhya Pradesh where the triblas are living. We visited one school. In that school, the students were sitting and sleeping on concrete floors. We asked the students: 'Where are your tables, chairs and beds? They said that they were not provided with any wooden furniture. There is an order that they should get steel furniture This is shameful. It is shameful that these people who are living in the rural areas and jungles are not provided with. wooden furniture when Ministers' houses and officers' . houses are provided with wooden furniture, fine, wooden furniture. These tribals living there are made to sleep on concrete floors. I wanted to point this out last time. I got this opportunity now. The Government should see that

[Shri Khyma Lotha] these people who are living in such far-off places, in such forests, areas get certain facilities like wooden furniture. It is shameful on our part that we[1] have not provided them with these facilities.

While we preserve the forests and wildlife, we should not forget the human beings. I am glad that a new clause is being introduced. It was mising in the original act of 1972. It is on page 4 of the Bill. A new clause, clause (cc), is being inserted in section 8 of the Act. It reads: "(cc) in relation to the measures to be taken for harmonising the needs of the tribals and other dwellers of the forests with the protection and conservation of wild life." But this s a little vague. I must say that proper directive: should be given so that the life of tribals is not, in any way, made miserable by the Forest Department. Ihe life of the tribals is usually made miserable where as they allow the poacher and rich people to kill animals in a big way. I am told, the tusks of elephants are - destroyed in other countries but here a chance has been given to dispose them of to the traders.

Once again I say that the life of tribals should not, in any way, be disrutbed in the name of trying to protect the wild life and animal and plants. The tribals also do not destroy forests excepting while doing jhoom cultivation. If alternative livelihood is provided to them, T think, the tribals will cooperate as far as preserving wild life animal and plants are concerned.

With this I support the Bill

श्री दिग्विजय सिंह (बिहार) : माननीय उपसभाध्यक्ष महोदय, पिछले पांच हजार वर्षों की जिस संस्कृति और सभ्यता की दुहाई इस देश में हम देते रहे हैं, जिस संस्कृति और सभ्यता पर भारत को हमेशा नाज रहा, वह संस्कृति और सभ्यता हमारे वन्य प्राणियों से जुड़ी रही है । इसलिए जब इस तरह का बिल आज इस राज्य सभा के कक्ष में रखा गया है तो मुझे खुशी होती है कि देश के तमाम लोग इस पर अपनी एक राय और एक मत जाहिर कर रहे हैं । दरअसल 1912, 1952 और 1972, तीन ऐसे मौके आए थे जब इस संबंध में कुछ दस्तावेज देश के सामने रखने का प्रयास किया गया । लेकिन पिछले कुछ वर्षों में इस पर ज्यादा जोर दे कर, ज्यादा विश्वास जता कर एक आन्दोलन के रूप में वन्य प्राणियों के जीवन की रक्षा का काम इस देश में जहां एक ओर सरकार कर रही है वहां दूसरी ओर लोग भी अपने को इस आन्दोलन के साथ जोड़े हुए हैं । शायद यही एक कारण है कि देश में ऐसा जनमत बना जहां सारे लोग एकमत हो कर इस वन्य जीव (संरक्षण) संशोधन विधेयक के साथ हैं । मैं आज आपके माध्यम से सरकार से गुजारिश करना चाहूंगा कि जब जब भी इस तरह का विधेयक लाने का काम होता है, उसके पहले कभी भी एक ऐसा माहौल इस देश में बनाने का प्रयत्न नहीं किया गया जहां लोगों को शिक्षित किया जा सके, लोगों को बताया जा सके कि यह हमारे लिए कितना जरूरी है । अभी हमारे सभी प्रोफेसर एम.जी.के. मेनन साहब बोल रहे थे, जो बुनियादी बातें उन्होंने इस सदन के माध्यम से इस देश के सामने रखी है, उससे यह लगता है कि वन्य जीवन के प्राणियों की सुरक्षा न सिर्फ उनके लिए, न सिर्फ मानवता के लिए, न सिर्फ कंजर्वेशन के लिए, न सिर्फ नेचर के लिए बल्कि हमारे लिए कितना जरूरी हो गया है, सभ्यता और संस्कृति को बचाने के लिए कितना जरूरी हो गया है । इस का अन्दाजा उनके भाषण से आपको लग रहा था । लेकिन सरकार कभी-कभी उदासीन हो जाती है । कभी-कभी मंत्री जब मन के लायक, स्वभाव के अनुरूप आते हैं तब तो इस आन्दोलन में और सरकार में भी गर्मी दिखाई देती है । लेकिन कभी-कभी ऐसे मंत्री भी आते हैं जिनका इससे कोई संबंध नहीं होता । सौभाग्यवश, आज जो मंत्री हमारे सामने हैं, उनका संबंध इस आन्दोलन से जुड़ा हुआ है । मुझे खुशी है कि उनके समय में यह विधेयक

आया है । वैसे तो यह विधेयक मेनका गांधी जी ने जनवरी के महीने में लाने का प्रयास किया था । एक ऐसा अच्छा समय चुन कर मंत्री जी यह विधेयक लाए हैं क्योंकि हमेशा इस देश में शिकार खेलने और वन्य प्राणियों के साथ जो खिलवाड़ किया जाता है वह नवम्बर महीने के बाद से शुरु होता है और मार्च तक लगातार इस देश में सारे नियमों के बावजूद, सारे कानूनों के बावजूद, सारे सरकारी अफसरों की मदद के बावजूद इस देश में शिकार को आज भी रोका नहीं जा सका है । हम आज भी वन्य प्राणियों के जीवन की रक्षा नहीं कर पाते हैं । यह एक हकीकत है और सत्य है इसे हमें स्वीकार करना होगा । इसे कैसे रोका जा सकता है ? इसे सिर्फ सरकार के माध्यम से कानून बना देने से ही नहीं रोका जा सकता है । 1972 में एक कानून बना था और आज 1991 आ गया है, 19 साल का समय बीत चुका है लेकिन उस कानून के माध्यम से आज तक हम सफल नहीं हो सके, तमाम नियमों और कायदों के बावजूद हम शिकार को रोक नहीं सके । मैं मंत्री महोदय से यह गुजारिश करना चाहूंगा कि आप जिस दिलचस्पी के साथ पिछले दो महीने से इस विभाग में काम कर रहे हैं अगर सचमुच वही दिलचस्पी बरकरार रखना चाहते हैं तो इस देश के ज्यादा से ज्यादा लोगों को वन्य प्राणियों की रक्षा के लिए, उनके जीवन में नयी जान देने के लिए, अपने साथ अपने आंदोलन और विभाग के साथ आपको जोड़ना होगा । इसलिए मैं सुझाव के तौर पर आपसे एक बात कहना चाहता हूं कि बहुत सी जगह, बहुत से विश्वविद्यालयों में बहुत सी ऐसी संस्थाएं हैं जहां पर इसके लिए काम हो रहा है, उन संस्थाओं से आप सम्पर्क करें सारे विश्वविद्यालयों के विद्यार्थियों से, जहां रिसर्च होती है, जैसे जवाहरलाल नेहरु विश्वविद्यालय में काम होता है, वहां के विद्यार्थी इस आंदोलन में जुड़े हुए हैं, दूसरे-दूसरे फोरम के नाम हैं, उनसे आप सम्पर्क करें । मैंने सिर्फ नाम के तौर पर जवाहर लाल नेहरू विश्व-विद्यालय का नाम लिया है लेकिन दूसरे भी यदि ऐसे विश्वविद्यालय हैं जहां पर यह काम हो रहा है तो उनको इस आंदोलन से जोड़ा जाए ताकि वे समाज को शिक्षित करने का काम करें । कोई ऐसी व्यवस्था आपके पास हो, महीने दो महीने का कोई वोकेशनल ट्रेनिंग प्रोग्राम हो जहां ऐसे विद्यार्थियों को जो बी०ए०' एम०ए० की डिग्री ले चुके हैं, जो आप पढ़ पढ़ा रहे हैं उनको इस आंदोलन से जोड़कर समाज को शिक्षित करने का काम हो । लेकिन दुर्भाग्य से यह काम अभी तक नहीं हो पाया है । मंत्री महोदय इस पर विचार करेंगे ऐसी मेरी मान्यता है ।

दूसरा, मैं बाघ के बारे में, टाइगर के बारे में जो हमारा नेशनल एनीमल है, राष्ट्रीय प्रतिबिंब बना हुआ है उसके बारे में गुजारिश करना चाहूंगा। वर्ल्ड वाइड फंड, टाइगर प्रोजेक्ट आदि कितनी ऐसी संस्थाएं इस दिशा में काम कर रही हैं । मगर एक बात है कि आज भी हिंदुस्तान के बहुत से ऐसे नेशनल फारेस्ट हैं जिन्हें आप नेशनल सेंक्चुरीज या नेशनल गेम्स पार्क जो भी नाम देते हैं। उनकी सीमाएं हमारे पड़ौसी देशों से जुड़ी हुई हैं और मझे यकीनन तौर पर मालूम है कि पड़ोसी देशों के लोग हमारे जंगलों के बाघों का शिकार करते हैं । बंगलादेश से जुड़ा हुआ सुन्दरवन का इलाका है, दुधवा नेशनल पार्क का इलाका नेपाल से जुड़ा हुआ है । हमारी कानून व्यवस्था उन देशों पर काम नहीं कर पा रही है । मैं खुद करीब करीब हर साल ऐसे जंगलों में जाता हूं, जाकर देखता हूं, वहां के पदाधिकारियों से बात करता हूं । मैं यह खामी खुद देखकर आया हूं । इसलिए मैं आपसे गुजारिश करना चाहूंगा कि विदेश मंत्रालय के माध्यम से आप एक ऐसा कोआर्डिनेशन अपनी मिनिस्ट्री और विदेश मंत्रालय के माध्यम से बनायें ताकि इन पड़ोसी देशों के ऊपर अंकुश के रूप में कोई ऐसी कार्यवाही कर सकें कि अगर ऐसा होगा, ऐसी बात की जाएगी तो हम इस पर कड़ी आपत्ति प्रकट करेंगे ।

दूसरी जो गुजारिश मैं आपसे करना चाहता हूं वह यह है कि हमारे गांव के

[श्री दिग्विजय सिंह]

लोग जो जंगलों में रहते हैं जो जनजातियों के लोग रहते हैं जो आदिवासी लोग रहते हैं वे हमारे बहुत से जानवरों को जिसमें बाघ भी शामिल है कभी तो जहर देकर और कभी दूसरे तरीके से मार देते हैं चूंकि ये कभी उनके जानवरों को मार देते हैं कभी उनके खेतों को बरबाद कर देते हैं । कहना बड़ा आसान होता है जैसे अहलुवालिया साहब कह रहे थे कि इसका क्या उपाय है, उनको छोड़ना होगा । यह काम सिर्फ भाषण देने से नहीं होगा । सरकार को चाहिए कि जिस किसी गरीब किसान या जनजाति के लोगों की एक बीघा या दो बीघा जमीन होती है जो उसकी पूरी पूंजी होती है, कीमत होती है, अगर उसकी खेती को जंगली जानवर बरबाद कर देते हैं तो वह उनको समुचित मुआवजा दे तभी आपके जानवर बच सकेंगे, नहीं तो जो एक बीघा या दो बीघा जमीन में खती करते हैं अगर कोई जानवर जंगल से आकर उनकी खेती को बरबाद करेगा, अगर उनके जानवरों को कोई बाघ मारेगा तो उनके लिए पर्यावरण या वन्य जीवन उतना महत्वपूर्व सवाल नहीं है जितना उनकी रोटी का सवाल है । इसलिए अच्छा होता अगर आप इसी बिल में कोई ऐसा प्रावधान करते जिसमें यह सुविधा होती कि जो भी बरबादी हो चाहे वह जानवर की हो या उनकी फसल की हो, सरकार उसका मुआवजा बाजार मूल्य से देगी ।

तीसरी बात मैं यह कहना चाहता हूं कि हमारे बहुत से जंगलों में, नेशनल गेम्स में या नेशनल सेंक्चुरीज में आग लग जाती है । आपके पास कोई ऐसी सुविधा नहीं है कि आप इसमें बीच बचाव कर सकें । मैं चाहूंगा कि सरकार वित्त मंत्रालय से सुविधा मांगे, नहीं तो कोई और ऐसी व्यवस्था करे कि जंगलों में आग लगने से रोकने की समुचित व्यवस्था आपके पास हो तभी सुरक्षा का काम हो सकता है और अंत में यह भावना व्यक्त करना चाहूंगा कि मानवता और मानव के पास यह ताकत है कि वह सृष्टि और विध्वंस दोनों कर सकती है । अब तक हमने, सारे लोगों ने जंगलों के, जंगली जीव जन्तुओं के वन्य प्राणियों के विध्वंस का काम किया है लेकिन मुझे उम्मीद है कि अब इस बिल के बाद एक बार फिर से मानव समाज के माध्यम से सृष्टि का काम होगा, जंगली जानवरों के बचाने का काम होगा और इस संवाद के साथ मैं इस बिल का हृदय से स्वागत करता हूं ।

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra): Mr. Vice-Chairman, Sir, I rise to support this Bill.

This Bill, the Wild Life (Protection) Amendment Bill, 1991 has now come. Before this the Wild Life Protection Act, 1972, being referred to as the principal Act, contained a long tile. "Wild animals and birds" it was. Now wildlife includes "wild animals, birds and plants."

Sir, I also welcome the provision which has been made in this Bill about the prohibition of hunting. No person shall hunt any wildlife specified in Schedules I, II, III and IV as provided under section 11 and section 12. So many good provisions have been made.

The first thiag is, I would like to give compliments to our former Environment Minister, Mrs. Maneka Gandhi, who tried her level best to protect the natural life. I do not say, "wildlife." It is natural life.

Sir, this Bill deserves to be commended in two ways. It is a comprehensive Bill, and also it is a complicated Bill. It is comprehensive in the sense that nil things have been covered in this Bil. Our present Minister and the former Minister, Mrs. Maneka Gandhi, have thought, very deeply thought, about this Bill, and they have brought this Bill before this House just to protect the wildlife of the country. It is complicated in the sense that the animal who bites is wild. The man who kills is wild. But the sufferer or the target which is attacked, is not wild at all. So, we are going to check the wild-ness of the man who is going to attack

the animals. A few animals are wild animals. All animals are not wild animals.

Sir, at the same time, when I was listening to the speech of Prof. M.G.K. Menon, he gave a very scientific review of this. Actually it is a fact that India is the richest country in all flora and fauna, natural flora and fauna, the sea life, the forest life. We are having a large number of plants. We are having a large number of species. That is because we have been gifted by the nature. We are having the long period of sunlight duration as compared to other countries, and all biological lives ace correlated to sunlight. The sun controls our climate. The sun control our rains. The sun controls our seasons, all these things. India is gifted by that. That is the only thing. We are having very natural and beautiful forests. Though we have tried after the independence to destroy our forests on a large scale, the residue of the forsts is still there. Now we are thinking very seriously about it.

I must say that the man is the wild animal because all lifes which are existing, are animals or plants. The man is known as a civilised animal. Actually in classification man comes in class Mammalia. We are trying to get ourselves civilised for generation together. Yet our mind does not get civilised. For that purpose we have to formulate various Acts, and we must bring some Bills, and we must bind ourselves to check our wildness to trouble other innocent animals of this nation. That is the thing. From that point of view, I congratulate the hon. Minister. He has brought this comprehensive Bill to project the natural wealth of this country.

Sir, the protection of the animals and plants is very important. I know Botony. I know Zoology. Before Jagdish Chandra Bose discovered it, we were not knowing that plant is also having life. Now it is known throughout the world that all plants are also having life. They are also having a system of life. They are having cells. They are having transpiration, respiration, photosynthesis. All these things are there.

If a plant is disturbed, that means one life is disturbed. If one life is disturbed, other life can also be disturbed, because each and every life is correlated with the existence of other life. This is the process of coexistence and co-survival. Unless we protect our plants and animal life, human life cannot survive. That must be the main theme of the Bill. Life has been classified into various categories. Life which can move about is classified as biological science and static life is classified as botanical science. We have to protect both the lives, otherwise our survival cannot be safer.

Not only on the land but even on the sea life is there. Our eminent scientist, Dr. Raja Ramanna, probably knows that Dr. M. S. Swaminathan once said that we are having a tremendous sea wealth in form of fisheries and other creatures. Our one-third population can survive on the seafood. So, it is not the question of pro-tetcing the plant life, it is also the question of protecting the marine life and biological life. So, from that point of view it is very important

In this Bill elephant ivory trade also has been banned. Agriculture and forestry has also been covered. If this Bill is implemented properly, I can assure the hon. Minister that all climatical and meteorological changes will be in favour of the humanbeings and that India can again become the richest country in the world. All wealth comes from the soil and at last it goes back to the soil. That means production or birth of every individual is from the soil. We are going to protect the same thing through this Bill. From that point of view, I complement the hon. Minister.

Another important thing is that our late Prime Minister, Shri Rajiv Gandhi, once said that poverty is the greatest pollution in our country. So, we have to remove poverty. But under the name of environment some movements are going on. My friend, Kamal Nath, comes from Madhya Pradesh. Narmada Bachao An-dolan is going on just to resist the Narmada dam. In the name -rf environment we should not neglect our projects which

[Shri Vithal Rao Madhavrao Jadhav]

we have taken up. Narmada project is to provide irrigation to more than two lakh hectares of land in Madhya Pradesh and Gujarat. It will give some benefit to Maharashtra also.

Our Maharashtra Government has submitted 600 proposals to the Government of India till the end of April, 1991. The Government of India has conveyed approval to 342 cases.

I agree with the hon. Minister that if a forest is getting destroyed, the same area of forest must be created at other places. While giving clearance to a project, we should, ensure that the project authorities create the same area of forest at some other place. From that point of view we must consider that poverty is the greatest pollution. We must remove poverty. At the same time we must maintain the ecological and meteorological balance of the country. It is the need of the hour. With these words I support the Bill wholeheartedly.

DR. NARREDDY THULASI REDDY (Andhra Pradesh): There is a Telugu saying which means like this. One fellow said that he could not feed his mother, but he could arrange gold bangles to his aunt. Our laws are like that. Why I am saytag this is when plenty of our laws are unable to protect the human beings in owr society, how ban one believe that these laws can protect the wildlife? Nevertheless one ought to be optmistic and not pessimistic. Something is better than no-thing. So I welcome this Bill. There is an inseparable close bond/relation between the Indian culture and the wildlife. Our great saints and sages used to live in deep and thick forests with animals, birds, trees and plants. In Thredha yuga Lord Rama spent- 14 velars with the wildlife. In Dwapara yuga Pandavas spent 12 years with the wildlife in the forests. During that peroid they acquired weapons and power. Shakuntala, the daughter of Vish-wamitra and Menaka, was brought up by the bird named Shakuntala. Bharatha the son of Shakuntala and Dhushyantha, from whose name our country derived its name used to play with lions and tigers in his childhood. In Panchatantra, ther pas personification of wildlife to teach :th idiot sons of the king by the Visha Sarma. So in our society we worshi wildlife. Some worship the animals. Sew worship the birds. Some worship the n ptiles. The king, Ashoka the greate *hi* done tremendous things for the prote tion of the wildlife. Our national bire Peacock represents, symbolises the beaul of our country. The national anima lion, represents and symbolises the majesi of our country. So I want *to* emphasis 1 want to stress 'that the wildlife is oi culture heritage. This is our spiritu heritage. This is our greatest heritage. S it is our responsibility, it is our duty protect and preserve this wildlife ai give it to the future generations to mai tain this. If we do not do this, the po terity will not forgive us. Now, what happening? As time passes on, there h been a threat to the wildlife. Some of tl species, both plants and animals, have i most become extinct. Once upon a tin there uesd to be white elephants in t forests of Assam. But now we do not ! white elephants. In Puranas we read a heard about the swans mediating betwe Nala and Damayanti. But aowadays don't see swans. Similarly, many plai have also become extinct. Why this happening? It is happening because deforestation, because of the hobby hunting, poaching, innocence, ignorai and selfishness. Deforestation is taki place due to the population explosii urbanisation and selfishness.

As per the guidelines the forest cov age should be one-third of the total 1: area, that is, 33.33 per cent. But now are having only J 9 per cent. So. becausi this there is ecological imbalance wh has again resulted in so many things. protect the aesthetic value, to protect \ ecological balance and give it to-posterity we have *to* protect the wildi Here I want to say, the Wildlife Prol tion Act was enacted in the year 19 Now we are in the year 1991; almost years have passed. During this time many changes in the wildlife as well in the society have taken place Therefe there is definitely a need for some- amc merits.

In the present Bill, there is one provi sion tor trie appointment of "honorary wudLfe warden". By reauing the word "honorary" X am somewhat doubtful confers no responsibilities and duties on the concerned person. So it may not serve the purpose. So I want some clarification on this point from the 'non. Minister.

Regarding giving rewards, I welcome this. Regarding constitution of National Zoo Authority, I welcome this. I want to say one thing. The tribals have close re-lationship with the wildlife. So while enacting anything regarding the wildlife, we should take care of the tribals' culture, habits, attitude and their livelihood. 1 want the Government to take all these things into consideration. Sir, there is a paradoxical thing. On the one side, we are talking about the protection of wild life, but, on the other, the State Governments are giving gun licences and arms licences freely. Everybody applies for a gun licence in the name of protection of crops and fields and the State Governments are freely giving them. But they use the guns not for protecting their fields but for the hobby of hunting. Not only that. They are also creating law and order problems by using them on their enemies. This aspect should be looked into.

There is one more thing regarding forest personnel. There is inadequacy of staff among them. This should also be taken care of. And, there is no awareness among the public about this Act. Something should be done for that too.

Finally, I want to conclude with one Sanskrit saying.

''सर्वे जीना: सुखिनों भवन्तु''

That was the previous saying. Now, the new saynig is;

''सर्वे -जीवा: सुखिनो भवन्तु''

I wish all the creatures of nature in this universe be safe.

[the Vice-chairman (Dr. Nagen Saikia) in the Chair.]

THE VICE-CHAIRMAN (DR. NAGEN SMKIA): Shri Salaria. You will have to complete your speech within three minutes.

SHRI SHABBIR AHMAD SALARIA (.Jammu and Kashmir): Mr. Vice-Chairman, 1 rise to support this Bill. But I would like to invite the attention of the hon. Minister to certain clauses of the Bill which require amendment.

firstly, section 29 requires an amendment. At page 9, the proposed clause says:

> "For the purposes of this section, grazing or movement of live-stock permitted under clause (d) of section 33 shall not be deemed to be an act prohibited under this section."

1 say that those people who are engaged in keeping live-stock and movement of live-stock also generally have a temporary shelter. We are proud of the wise and young Minister. He may kindly take note of this. This clause should be amended as follows:

> "For the purposes of this section, grazing or movement of live-stock permitted under clause (d) of section 33 as well as temporary shelters for such purposes, shall not be deemed to be an act prohibited under this section."

Secondly, I would invite the attention of the hon. Minister to pace 10 for section 38B. This section would say:

> "The Chairperson and every Member shall hold office for such period, not exceeding threa years, as may be specified Dy the Central Government in this behalf."

'For a period not exceeds three years' may mean that you can appoint a Chairman or a Member for six months also. He cannot do any service if it is for so short a period. Three years is a normal period for which appointment should be given. Moreover, in section 38A it is provided that the Authority shall consist of Chairperson, such number of members not exceeding ten and Member Secretary. But the hon. Minister and those subordinate to him who have to deal with the facts of life may kindly not that it does not give any guidelines as to the qualification

[Shri Shabbir Ahmad Salaria] of the Chairperson or the Member or the Member-Secretary. It should not become a benth for political accommodations or for other purposes. Therefore, all efforts should be made to see that it does not become a berth for favouritism.

I would also request the hon. Minister to kindly consider section 38D at page 11. As is sought to be inserted, it contains,

'(2) This Authority shall regulate its own procedure,

and

(3) All orders and decisions of the Authority shall be authenticated by the Member-Secretary.....".

It does not anywhere say any thing about quorum. Supposing a meeting of the Authority is to be called, it is said that the Chairperson can call it. What I submit is, it should provide for three or four Members' presence. It should provide the requistionality. It should also provide, where a decision has to be taken by the Authority and there is a difference of opinion, that the majority opinion shall prevail.

There are other amendments also to be made. But since you have rung the bell, I will not dwell on them. But ultimately I shall say that he may also consider, making it a cognizable offence. These are my submissions. I have net referred to the other amendments because there is no time. Thank you.

THE VICE-CHAIRMAN (DR. NAGEN SAIKIA); Shri A. P. Gautam. You have got three minutes' time. Within three minutes you shall have to finish your speech.

श्री आनन्द प्रकाश गौतम (उत्तर प्रदेश) : आदरणीय उपसभाध्यक्ष महोदय, वन्य जीव संरक्षण संशोधन विधेयक, 1991 के संबंध में जो चर्चा चल रही है, उसमें मुझे आपने बोलने का अवसर दिया, इसके लिए मैं आपका आभारी हूं ।

वन्य जीव जहां एक तरफ पर्यावरण के शुद्धिकरण के लिए अत्यंत आवश्यक हैं, वहीं मैं यह मानता हूं कि हमारे देश में इस धरती के लिए एक सौन्दर्य की वस्तु भी हैं । इस श्रेणी में पशु-पक्षी, जीव-जन्तु सभी वन्य जीवों में आते हैं । इनके संरक्षण के लिए जो 1972 का अधिनियम था, उसमें आपने बहुत सारे संशोधनों को इसमें रखकर के और उसको काफी असरदार कानून बनाने का प्रयास किया है । माननीय, मैं आपका अधिक समय नहीं लेना चाहता लेकिन इतना कहना चाहता हू कि एक तरफ आप वन्य जीवों के संरक्षण के लिए अधिक प्रयास कर रहे हैं और कठोर कदम उठा रहे हैं और दूसरी तरफ यह भी व्यवस्था है कि उनकी हत्या के लिए लाइसेंस जारी करने के प्रावधान भी इस विधेयक में आपने रखे हैं । आप जानते हैं कि हमारे देश की जैसी व्यवस्था चल रही है कि किसी चीज का भी लाइसेंस बनने में कोई कठिनाई नहीं होगी यदि कोई कानून है । तो जो आपने इसमें लाइसेंस देने के नियम रखे हैं उनको कठोर से कठोर करने का कष्ट करें ताकि आसानी से लोग उस लाइसेंस को न ले सकें । मैं तो चाहता हूं कि लाइसेंस देने का प्रावधान ही समाप्त हो जाना चाहिए । यदि हम एक चीज का संरक्षण कर रहे हैं तो उसका वध करने के लिए लाइसेंस का इसमें विधान नहीं होना चाहिए ।

दूसरे, जहां हम उनको संरक्षण देने के लिए कानून बना रहे हैं, वहीं हमने देखा है कि आपने इसमें विधान रखा है कि जो भी व्यक्ति उनको मारने या उनकी हत्या करने का प्रयास करेगा उसके लिए आपने दो वर्ष की सजा और दो हजार रुपए जुर्माना रखा है तथा निश्चित प्राधिकारी ही इसकी रिपोर्ट लॉज कर सकते हैं और अदालत में इसके लिए प्रार्थना-पत्र दे सकते हैं । मेरा आपसे अनुरोध है कि इसकी सजा कम से कम तीन वर्ष रखी जाए और तीन हजार रुपए तक जुर्माना रखा जाए ताकि यह पुलिस दखलन्दाजी केस बन सके और किसी विशेष अधिकारी की उसमें आवश्यकता न पड़े कि वह न्यायालय

में इसके विधान को ले जाए, बल्कि जो कोई भी इसकी रिपोर्ट करे उस पर तुरंत कार्यवाही हो और न्यायालय इसमें स्वतः कान्निजेंस ले । इस प्रकार हम अधिक प्रभावी ढंग से वन्य संरक्षण कर सकेंगे । मेरा यही कहना है । धन्यवाद ।

THE VICE-CHAIRMAN (DR. NA-GEN SAIKIA); Now the Minister to reply.

THE MINISTER OF STATE (INDE-PENDENT CHARGE) OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): Sir, I thank the hon. Members for participating in this debate and for their very valuable suggestions and almost all-round support. Sir, protection of wild life and our environment is not something new for our country. It is a part of our ethos and this is so well reflected, in our Scriptures and mythology. All this bears testimony to it. In India, while we have brought in this legislation and we do bring it right down to all levels, covering the entire spectrum of the nation, it is well recognised that this is a part of our ethos. Sir, one of our most valuable resources which we have is our bio-diversity and our genetic resources. Professor Menon was elaborating on this in a brief way. I would like to state that India today can be proud of its bio-diversity and of its genetic reserves. We are a gene bank for several species and this is recognised and commended the world over. Sir, I do agree with the Members who have made this specific point that legislation alone is not enough for what we are trying to pursue and unless and until there is public awareness and public enlightenment, no legislation can succeed. It is just not changing the punishment or making it harsher. That is one of the deterrents. Legislation is one of the deterrents, but I think the biggest deterrent will be only when public awareness is there. I completely agree with one of the hon. Members who nas made the .point that while bringing this legislation unless the public who are around the national parks and sanctuaries are made aware, unless they are carried with us, this will fail because it has become man-versus-ecology. This is what we are attempting to do in taking up some of the awareness-programmes, using the media in trying to get this message across to the people.

Sir, many of the suggestions which 1 corns to very specificay— I thank the Members for making these suggestions— have been very useful and they are within the iramevork of the present law and the amendment now bc;ng passed.

Sir, we have been trying to take a holistic view of this bio-diversity. ecological preservation, environmental preservation. The lime has come when we have to look at this in it holistic way. We cannot look at forests in isolation o' environment, environment in isolation of developments, conservation and preservation in isolation of the needs of people. A lot of points have been made about tribals. I myself come from a tribal area and' I am quite aware if the problems faced by tribals around rational parks and sanctuaries. It is a very valid point. We have consider ed this and have brought eeo-developing projects which will to some extent, solve this problem.

Sir, coming to the specifics which were mentioned today, I think one of the great problems we are facing is the disappearance of habitat. We have on the one side, a dwindling population of elephants; on the other we are trying to preserve the elephants. Now elephants require a large area to survive. Unless we are able to simultaneously protect the habitat for the elephants, merely trying to prevent elephants is not enough; we have to preserve their areas, the areas in which they inhabit. As such, I completely agree with Prof. Menon that the acope of any preSerpation or conservation ecort is to have a very wide spectrum and it is because of that we are attempting a totally integrated and hol'stic approach. I think it is a very useful suggestion which we shall examine, of Prof. Menon, to have a national bureau of Forest Genetic Re-sources, a National Board, whether it is for pharmaceutical purposes or for whatever it is. We should be proud that it was because of our gene resources that

[Shri Kamal Nath] some of the highest rice-yielding varieties could be produced. The entire exercise, the entire effort, of the International Rice Institute was possible only because of the gene resources which could be picked up from India.

Sir, one of the other points made is the losing of forest land. I do seek the support, Sir, of all the hon. Members not only of this House but also of the other House and all round because of the tremendous pressurei—population pressure, development pressure, on forest land which has been one of the great problems not only in preserving habitat but in trying to reach the level of ecological balance which we have been trying to have. Sir, some fears have been expressed about the Zoo Authority. We have So many authorities in the country and the Zoo Authority will not be just another authority.

(The Deputy Chairman in the Chair)

I would like to assure the Members, Sir, that this should not be the case.. . *(Interruptions)...*

THE DEPUTY CHAIRMAN: Mr. Minister, "Madam'. There has been a change in the Chair. You might say 'Madam.'

SHRI KAMAL NATH; I will try to change. So, I do assure the Members through you, Madam, that the Zoo Authority, once it gets going—I do not know Which specific authorities they are referring to which are not good—I am sure, it shall be one of the most efficient and vibrant authorities which have been set up.

THE DEPUTY CHAIRMAN: Then I will be happy because I happen to be a Zoologist.

SHRI KAMAL NATH; We will seek your assistance.

SHRI VITHALRAO MADHAVRAO JADHAV; Because you are a Zoologist, I know, Madam.

SHRI KAMAL NATH; One of the points mentioned by Shri Ahluwalia is that India has varied skills and one of the skills is the exhibition of dance of monkeys, bears and parrots. The question is one of cruelty to animals and where cruelty is involved in training these animals, I don't think, they should be supported. But there is a difference, between training and taming and where taming does not involve cruelty...

SHRI S. S. AHLUWALIA: You tame a dog.

SHRI KAMAL NATH; I am not referring to any specific animal. But we do know some of the animals have been tamed or trained—I don't know; there is a very fine distinction—by making them sit and dance on red hot steel and metal plates. That is the way they get trained; that is the way they dance. That cruelty, [am sure, nobody would like to support. This skil] has been there and this has been used as a means of subsistence by these people. Certainly where it involves cruelty we shall endeavour to find another way of subsistence for these people. Sir, Mr. Lotha. . . *(Interruptions). . .*

AN HON'BLE MEMBER: 'Madam'.

SHRI KAMAL NATH: Sorry. I am so used to saying 'Sir'

THE DEPUTY CHAIRMAN: I know that you are appearing before this House for the first time.

SHRI KAMAL NATH: Yes, Madam Deputy Chairman. Mr. Lotha has mentioned about providing alternative livelihood. Alternative livelihood is a part of our integrated effort and approach and our eco-development project round national parks and snactuaries, I am sure, will go in a big way. Madam, I share the hope of Mr. Jadhav that India will regain its lost glory which we had in the past in our eco-structure. He has mentioned something about stopping of development projects in the name of environment. Certainly there is bound to be degradation in our environment in any development project but the question is how much it is. We are trying to maintain this balance and, I ana. sure, we will have the support when some of

the projects which do not have adequate environmental protection have to be set aside.

SHRI VITHALRAO MADHAVRAO JADHAV: But the thing is that, hon'ble Minister, the projects which are in the backward areas of Chandrapur have been held up because of total envtrontal objection. *(Interruptions)...* My main concern is that you can put restriction on them so that you can create the same quantity of forest around the area of the projects and you can clear them. (*Inteiruptions)...*

SHRI R. K. DHAWAN (Andhra Pradesh): Let him enjoy his powers. He has become the Minister for the first time.

SHRI KAMAL NATH: We shall see the specific causes which the hon'ble Member is mentioning and subject to the conditions being fulfilled and subject to there not being substantial environmental degradation, we shall have a look at it. Dr. Reddy expressed concern about Honorary Wildlife Wardens and what their responsibilities and duties would *b?.* The whole idea is to involve as many people because if we have to succeed in ecological preservation, it has not got to be, as I said. by legislation alone: it has got to be a people's movement. And this is one of the efforts that we are making of having honorary wildlife wardens. It shall not be used to find a berth for anybody who does not deserve it. I agree with Shri Digvijay Singh that people's participation is very essential. I had made that point alreday. The people around the national parks should be given compensation. This is already, provided and, as I said our eco-development projects, which is the main thrust—this year we are laying a lot of emphasis on this—I am sure, will go a long way in solving this problem. This Amendmewt Bill which is before the House today came up after a long history. These proposals have a long history. It is not that this amendment has come up over a span of a couple of months or that it has been conceived in the last two months or even in the last two years. In 1981 these proposals were placed before the Indian Board of Wildlife who decided that the matter be examined by a sub-committee. So it is way .back that a large- part of it was conceived, way back i*n* 1981, under the specific directions of Mrs. Indira Gandhi. And at that time with- her personal interest in this there were, efforts made to look seriously info this. In 1986 these proposals were approved by the Standing Committee and again in 1987 these proposals were approved by yet another committee. In 1988 these proposals were sent to the Law Ministry. And it was in March 1990 that these proposals were approved by the Law Ministry. So the proposals as framed today were sent to the Law Ministry in 1988. The point I am trying to make is that these have been well thought out over a period of time. It is not that they have cursorily come out. They have come out with a wide scope. For the first rinse we are bringing the concept of fauna and flora. For the first time we are looking at our ecology in the total sense. *(Interruptions).* It has many, many diversities. Econolgy has many, many diversities, many dimensions, to be looked into. And we are trying to cover as wide a spectrum as possible and towards this end I seek the support of everybody in passing this Amendment Bill.

THE DEPUTY CHAIRMAN: The question is—

> "That the Bill further to amend the Wild Life (Protection) Act, 1972, be into consideration."

The mot.on was adopted.

THE DEPUTY CHAIRMAN: We shall now take up clause-by-cluase consideration of the Bill.

Clauses 2 to 4 were added to the Bill.

Clause 5—*Amendment of section 2*

श्री सुरेश पचौरी : महोदया, मैं प्रस्ताव करता हूं कि :

(5) "पृष्ठ 3 पर, पंक्ति 21 और 22 [illegible]

The question was proposed.

श्री सुरेश पचौरी : महोदया, बिल की क्लास-5 में वाहन की परिभाषा में भैंस और गधा शब्द निकालने का प्रस्ताव किया है । मेरा ऐसा मत है कि इस प्रस्ताव को पूर्ववत रहने दिया जाए । यदि कोई अवैध शिकार के लिए भैंस

[श्री सुरेश पचौरी]

और गधा का प्रयोग करता है तो निश्चित रूप से नियमानुसार उनको भी जब्त करना चाहिए । कई बार ऐसा देखा गया है कि जब अवैध शिकार होता है तो भैंस और गधे को वाहन के रूप में भी प्रयुक्त किया जाता है । यदि ऐसा नहीं होगा तो लोग खुले रूप में इनका प्रयोग अवैध रुप से किये गये शिकार के लिए तथा परिवहन के लिए करेंगे । इसलिए मेरा मंत्री महोदय से आग्रह है कि वह इसे स्वीकार करें ।

SHRI KAMAL NATH: It is a fact that this could be used for poaching. I agree with him and accept the amendment.

THE DEPUTY CHAIRMAN: I shall now put the amendment to vote. The questions is:

(5) "That at page 3, lines 11 and 12, be *deleted."*

The motion was adopted.

THE DEPUTY CHAIRMAN: I shall not put Clause 5, as amended to vote.

The questions is:

"That Clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, *as amended, was added to the Bill.*

Clauses 6 *and* 7 *were added to the Bill.*

Clause 8 *was added to the Bill.*

Clauses 9 *and* 10 *were added to the Bill.*

Clause 11 *was added to the Bill.*

Clause 12 *was added to the Bill.*

Clause 13 *was added to the Bill.*

Clause 14 *was added to the Bill.*

Clause 15 *was added to the Bill.*

Clauses 16 *and* 17 *were added to the Bill.*

Clause 18—*Insertion of new Section 26A.*

Declaration of area as sanctuary

THE DEPUTY CHAIRMAN- There are two amendments here by Mr. Suresh Pachouri and Mr. S. S. Ahluwalia.

SHRI SURESH PACHOURI: Madam, I move amendment No. 10 only. Madam, I beg to move:

(10) "That at page 8, *after* line 30, the following be *inserted,"* namely:—

'(3) No alteration of the boundaries of a sanctuary shall be made except on a resolution passed by the Legislature of the State.'"

The question was proposed.

श्री सुरेश पचौरी : महोदया, मेरा ऐसा सुझाव है कि किसी भी सैंक्चुअरी की परिसीमा में कोई परिवर्तन राज्य मंडल के बिना नहीं किया जायेगा । इससे मेरी ऐसी मान्यता है कि लाभ होगा तो विभिन्न प्रकार के दबाव के बावजूद राज्य सरकार वन्य जीव संरक्षण के हितों की उपेक्षा करते हुए किसी सैंक्च्युअरी को निरस्त नहीं कर सकेगी । इससे काफी लाभ होगा । मंत्री महोदय मेरी इस अमेंडमेंट को स्वीकार कर लें ।

SHRI KAMAL NATH: Madam, I would accept this amendment.

THE DEPUTY CHAIRMAN: The ques tions is:

"That at page 8, *after* line 30, the following be *inserted,"* namely:—

(10) '(3) No alteration of the boundaries of a Sanctuary shall be made except on a resolution passed by the Legislature of the State.'"

The motion was adopted.

THE DEPUTY CHAIRMAN: I shall now put Clause 18, as amended, to vote.

The question is:

'That Clause 18, as amended, stand part of the Bill."

The motion was adopted.

Clause 18, *as amended, was added to the Bill.*

Clause 19—*Amendment of section* 19,

SHRI SURESH PACHOURI: Madam, I beg to move -.

"That at page 8, *after* line 36 the following be *inserted,* namely:—

(11) '(4) No person shall tease or molest any wild animal or litter the grounds of sanctuary'."

The motion was adopted.

श्री सुरेश पचौरी : महोदया, मेरा ऐसा सुझाव है कि सेंक्चुअरी में कोई भी व्यक्ति किसी भी वाइल्ड एनीमल को तंग न करें तथा सेंक्चुअरी के किसी क्षेत्र में कूड़ा-करकट न डालें, यह स्वागत योग्य कदम होगा और इससे बाकी सदस्य भी सहमत होंगे। इससे वाइल्ड एनीमल के संरक्षण में जहां एक ओर सहायता मिलेंगी, वहां सेंक्चुअरी को भी साफ-सुथरा रखा जा सकेगा। इससे वह मकसद हल होगा, जिस मकसद को पूरा करने के लिये माननीय मंत्री जी ने यह बिल प्रस्तुत किया है। इसलिये माननीय मंत्री जी मेरे इस संशोधन को स्वीकार करें, ऐसा मेरा आग्रह है।

SHRI KAMAL NATH: Madam, I appreciate the spirit behnid 'his amendment and I accept this amendment.

THE DEPUTY CHAIRMAN: You must also make it mandatory that nobody should take plastic bags inside any sanctuary.

SHRI KAMAL NATH: That is covered by this amednment.

THE DEPUTY CHAIRMAN: Very good. I shall now put the amendment to vote.

The question is :

"That at page 8, *after* line 36 the following be *inserted,* namely: —

(11) '(4) No person shall tease or molest any wild animal or litter the grounds of sadctuary.'"

The motion was adopted. THE DEPUTY CHAIRMAN: I shall now put Clause 19, as amended, to vote.

The question is :

"That Clause 19, as amended, stand part of the Bill.

The motion was adopted.

Clause 19, *as amended, was added to the Bill.*

Clauses 20 *and* 21 *were added to the Bill.*

Clause 22 *was added to the Bill.*

New Clause 22A

SHRI SURESH PACHOURI: Madam, I beg to move :

"That at page 9, *after* clause 22, the following clause be *inserted,* namely:

'22A. In section 34 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

(3) No new licences under the Arms Act, 1959, shall be granted within a radius of ten kilometres of a Sanctuary without the prior concurrence of the Chief Wildlife Warden.'"

The question was proposed.

श्री सुरेश पचौरी : महोदया, वन्य जीव संरक्षण अधिनियम, 1972 की धारा 34 में इस बात का प्रावधान रखा गया है कि बिना चीफ वाइल्ड लाइफ वार्डन की सहमति के सेंक्चुअरी की सीमा के 10 किलोमीटर के अन्दर कोई भी नया शस्त्र अनुज्ञा पत्र जारी नहीं किया जायगा, यह निश्चित रूप से उचित कदम है। इससे सेंक्चुअरी में अवध शिकार को रोकने में और नियंत्रण करने में सहायता मिलेगी जिससे वह मकसद हल होगा जो कि अवैध शिकार को रोकने में सहायक सिद्ध होगा, ऐसा मेरा विचार है। इसलिये मैं माननीय मंत्री जी से विनम्रतापूर्वक आग्रह करूंगा कि वह इसे स्वीकार करें।

SHRI KAMAL NATH: Madam, one of the sentiments expressed during the course of the discussion right now was about

[Shri Kamal Nath]

arms licences in this area. I think the Chief Wildlife .Warden - will have some knowledge of those who are professional poachers and I think the concurrence of the Chief Wildlife Warden in this case will be desirable. So, I accept this amendment.

THE DEPUTY CHAIRMAN : Now the question is :

(13) "That at page 9, *after* clause 22, the following clause be *inserted,* namely :—

'22A. In section 34 of the principal Act after sub-section (2) the following sub-section shall be inserted, namely:—

(3) No new licences under the Arms Act, 1959 shall be granted within a radius of ten kilometres of a Sanctuary without the prior concurrence of the Chief Wildlife Warden.'"

The motion was adopted.

New Clause 22A was added to the Bill.

Clauses 23 *to* 25 *were added to the Bill.*

THE DEPUTY CHAIRMAN : We shall now take up Clause 26.

SHRI ANANTRAY DEVSHANKTR DAVE (Gujarat): Madam, Mr. M.G.K. Menon has made a very fine suggestion for this Bill. And not a single word has been uttered by the Minister, not a single suggestion has been included in this Bill.

SHRI SURESH PACHOURI : He has appreciated his views.

THE DEPUTY CHAIRMAN : Mr. Pachouri, it is good enough the Minister has accepted your Amendment. Don't defend: him. Let him. defend himself.

SHRI KAMAL NATH: I think me hon. Member probably was not listening to mc carefully, I not only touched upon the points of bio-diversity and gene bank made by Prof. Menon, but I also profusely thanksd him. I Said that he has made: some very good suggestions. I speaifieally touched upon his suggestion for a National Board of Genetic Resources. 1 said that it is a very good idea, we shall examine it. I went into the depth. *(Interruption)* I said, we shall certainly examine it.

THE DEPUTY CHAIRMAN; We shall now take up Clause 26. Thelre is one Amendment (No. 14) by Shri Suresh Pachouri.

Clause 26—*Insertion of new Chapter IV. A.*

SHRI SURESH PACHOURI: Madam, I beg to move :

(14) "That as page 11, line 37 *for* the words 'Chairperson may think fit' the words majority of the Authority Members decide be *substituted.'"*

The question was proposed.

श्री सुरेश पचौरी : महोदया, बिल के पेज 11 की जो पंक्ति 37 है, उसमें यह लिखा गया है कि :

"The Authority shad meat as and when necessary and shall meet at such time and place as the Chairperson may think fit."

महोदया, मेरी यह मान्यता है कि इसकी कलेक्टिव रिस्पांसबिलिटी होनी चाहिये और इसकी जगह "मेजोरिटी आफ अथारिटी आफ मेम्बर्स' सब्सिट्यूट किया जाना चाहिये, ऐसा मेरा मंत्री महोदय से आग्रह है । इससे कलेक्टिव रिस्पांसबिलिटी झलकेगी ।

SHRI KAMAL NATH : Madam. I... *(Interruptions)*

SHRI VITHALRAO MADHAVRAO JADHAV: Madam, I request the hon. Minister to bring a new amended Bill like this.

SHRI KAMAL NATH : I don't think I should be preempted. It is after a deep thought, I am considering what *he* is saying. It is just not cursorily as is being- presumed. The Chairperson is always the final authority. The Amendment by the Member is that it should be by the majority of the members. The Government shall be issuing directions in this regard. And those directions to the Authority shall be from the Gtwernment. So, 1 don't see any reason why the, majority of members

should approve it. As such, 1 do not accept this Amendment.

श्री सुरेश पचौरी : महोदया, मुझे लगता है कि माननीय सदस्यों ने जो ब्यंग करना आरम्भ किया है, उसका परिणाम यह है । माननीय मंत्री जी ने अभी तक जिन भी संशोधनों के लिये मैंने आग्रह किया है, उसको स्वीकारा है । लेकिन अब इसको नहीं स्वीकार कर रहें हैं, जब कि इसमें कलेक्टिव रिस्पांसबिलिटी की बात है। यह उनके विवेक की बात है, यद्यपि मेरा यह सार्थक सुझाव है, जो संशोधन के रूप में प्रस्तुत किया गया है। लेकिन अगर मंत्री जी इसको स्वीकार नहीं कर रहे हैं, तो मैं इसको वापस लेता हूं ।

Amendment No. 14 *was, by leave, withdrawn.*

THE DEPUTY CHAIRMAN- Now, 1 put Clause 26 to vote.

The question is :

"That Clause 26 stand part of the Bill."

The motion was adopted.

Clause 26 *was added to the Bill.*

THE DEPUTY CHAIRMAN: Now, we shall take up Clause 27. There are two Amendments—Amendment No. 15 by Shri Suresh Pachouri and Amendment No. 25 by Shri Kamal Nath.

Clause 27—*Amendment of section* 39.

SHRI SURESH PACHOURI: Madam, I am not moving my Amendment.

THE DEPUTY CHAIRMAN: He is moving on your behalf.

SHRI ANANTRAY DEVSHANKER DAVE: It seems that ths Ministry has not applied its mind. *(Interruptions).*

श्री मोहम्मद खलीलुर रहमान (आन्ध्र प्रदेश) : मैडम, ऐसा मालूम हो रहा है कि इंतिहाई लापरवाही के साथ इस बिल को बनाया गया है और फिर उसी पार्टी के एक सीनियर मेम्बर के द्वारा इसको कवर-अप किया जा रहा है । .... (व्यवधान)... बिल्कुल यही है ।

श्री सुरेश पचौरी : संशोधन स्वीकार भी नहीं किये गये हैं, मेरे टोटल 15 संशोधन थे (व्यवधान)

श्री मोहम्मद खलीलुर रहमान : जो एक्सेप्ट नहीं किये गये वह खुद भी एक मिलीभगत है। (व्यवधान)

श्री सुरेश पचौरी : उपसभापति महोदया, हर सदस्य को संशोधन प्रस्तुत करने का अधिकार है (व्यवधान) आप हमारे राइट को चैलेंज कर रहे हैं (व्यवधान) हर सदस्य का अधिकार है, संशोधन प्रस्तुत करने का (व्यवधान)

श्री मन राव देवशंकर दवे : हम तो आपकी प्रशंसा कर रहे थे (व्यवधान) हमें गलत मत समझिये, पचौरी जी ।

(Interruptions)

SHRI BHUBANESWAR KALITA (Assam): You should have respect for every Member. You are also a Member. He is also a Membei. You should have respect... *{Interruptions).* It is very bad.

THE DEPUTY CHAIRMAN: Order, order. The House shoud feel, the Members should feel, happy—either left, right or centre—if the Members' views are accepted by the Government. *(Interruptions).* But let us take it in good spirit.

SHRI ANANTRAY DEVSHANKER DAVE: The Minister has not applied Ms mind to this Bill.

SHRI BHUBANESWAR XALITA: Who was the Minister at that time -who has not applied his mind ?

THE DEPUTY CHAIRMAN: Let us not go into it. आप जानते हैं देर आयद, दुरस्त आयद (व्यवधान).. अगर सुबह का भूला शाम को घर आ जाये, तो उसको भूला हुआ नहीं कहा जाता है । अगर वह अच्छा काम कर रहे हैं, तो आप खुश हो जाइये ।

SHRI KAMAL NATH: Madam, I can only say that if other Members had moved amendments, I would pay equal respect and give equal consideration. *(Interruptions)* But, unfortunately, only two Members have moved it. And on whatever points they made, which are valid, I wanted to show that I am not here with closed mind. (Interruptions)

THE DEPUTY CHAIRMAN : Mr. Minister, you don't know in what trap you have moved into. You are getting the wild life out of the trap but you haVe walked into the trap yourself, because they are going to move all amendments in future. *(Interruptions),*

SHRI KAMAL NATH : Madam, I move:

(25) 'That at page 14 lines 5-6 for the words' or killed without a licence or by mistake and' the words "without a licence or' be substituted."

The question was proposed.

SHRI SHANKAR DAYAL SINGH (Bihar); If there) is a 'milibhagat'. . *(Interruptions)*

THE DEPUTY CHAIRMAN : What do you want? Division? *(Interruptions).*

SHRI SHANKAR DAYAL SINGH : Now we want sense of the House.

श्री राम नरेश यादव (उत्तर प्रदेश) : प्रश्न यह न कि आपकी तरफ से कोई अमेंडमेंट नहीं आया (व्यवधान) ।

श्री शंकरदयाल सिंह: मैडम, देखिए, हर सदस्य को राइट है । जब तक सदस्य ने अमेंडमेंट मूव किया, हम ने सपोर्ट किया था। अब मंत्री का अमेंडमेंट है, हम उसकी सपोर्ट नहीं करते हैं । बात सही है । इसलिए मैं कह रहा हूं कि दोनों का अमेंडमेंट था, दोनों ब्रेकेटेड थे, हमारे सुरेश पचौरी जी और कमल नाथ जी । हमारे एक मैम्बर के राइट को यहीं रोक दया गया और मंत्री ने कहा उन्होंने इसको विदड्रा कर लिया । मंत्री ने मूव किया, जबकि दोनों का नाम ब्रेकेटेड है (व्यवधान)

उपसभापति : अलग अलग है । His amendment is No. 15 and the Ministers amendment is No. 25.

श्री शंकर दयाल सिंह: मेरी आपसे अपील यह है कि जब एक सदस्य ने अमेंडमेंट लाया सभी सदस्यों ने माननीय सदस्य के अमेंडमेंट को सपोर्ट किया, हम लोगों ने भी सपोर्ट किया । हम विपक्ष में बैठे हैं । हम भी कुछ जानते हैं कि कानून की धारा किस तरह चलती है और आदमी की आंख का इशारा कैसे चलता है । सरकार को यह स्वीकार करना चाहिए कि सरकार इस बिल को लाने में, जैसा कि अभी हमारे मित्रों ने कहा है, बिल्कुल असफल रही है, । यह गैर जवाबदेही का परिचय है कि किसी एक बिल पर कम से कम 12 अमेंडमेंटस आयें, 12 अमेंडमेंट्स स्वीकार कर लिए जाएं । यह सरकार की बिलकुल असफलता कही जाएगी । हमने गदहे और भैंस का अमेंडमेंट आया उसको भी स्वीकार किया । पहली बार. . . (व्यवधान) . . पचोरी जी ने गदहे का भैंस का अमेंडमेंट लाया उसको भी सपोर्ट किया । हमने कहा जब माननीय हमारे भाई जो सदस्य हैं एक इतनी अच्छी बात कह रहे हैं तो चलिए उसको हम स्वीकार कर लेते हैं । लेकिन हम चूंकि विपक्ष में बठते हैं इसलिए हमारा भी कुछ कर्तव्य होता है। इसलिए मंत्री द्वारा लाये गये अमेंडमेंट को हम स्वीकार नहीं करते हैं, हम चाहते हैं कि उस पर डिवीजन हो । ठीक है जीत होगी तो होगी ।

THE DEPUPY CHAIRMAN : Let me take up the amendment again. I shall now first put Amendment No. 25 to Clause 27 moved by Shri Kamal Nath to vote.

श्री शंकर दयाल सिंह : मैडम, इस डिवीजन का, इस मांग का अर्थ यह नहीं था । मेरा मुख्य अर्थ यह था कि मैं इस बात को लोगों के ध्यान में लाऊं, जनतंत्र के ध्यान में लाऊं कि जब इतने महत्वपूर्ण विषय पर सदन में चर्चा हो रही है, तो सत्ताधारी पक्ष के 25–30 लोग भी उपस्थित नहीं हैं, इस बात को मैं देश को दिखलाना चाहता था, आप भी देखिये अभी भी वहां केवल 26 की संख्या है ।

जहां कांग्रेस के सत्ता दल में 105 सदस्य हैं, उसमें से ऐसे महत्वपूर्ण विषय के समय में 25–30 लोग भी उपस्थित नहीं

रहें। देश की जनता को समझना चाहिए कि कांग्रेस इन मसलों के प्रति कितनी गंभीरता रखती है । . . . (व्यवधान)

श्री भुवनेश्वर कालिया : इस बिल का अमेंडमेंट क्या है, यह उनको मालूम ही नहीं है ।

THE DEPUTY CHAIRMAN: I shall now put amenment Nofl. 25 to clause 27 moved by Shri Kamal Nath to vote. The question is :

"That at page 14. lines 5-6 *for* the words 'or killed without a licence or by mistake and the words Vith-out a licence or* be substituted."

The House divided.

THE, DEPUTY CHAIRMAN

Ayes ... 27

Noes ... 25

Ayes—27

Abrar Ahmed, Dr.
Bekal Utsahi, Shri
Chaturvedi, Shri Bhuvnesh
Chavan, Shri S. B.
Chowdhry Hari Singh
Faguni Ram. Dr.
Hanumanthappa, Shri H
Jacob, Shri M. M.
Jadhav, Shri Vithalrao Madhavrao
Kalita, Shri Bhubaneswar
Krishnan, Shri G. Y
Lotha, Shri Khyomo
Malaviya. Shri Radhakishan
Masodkar, Shri Bhaskar Annaji
Pachouri, Shri Suresh
Palaniyandi, Shri M.
Pande, Shri Bishambhar Nath
Parmar, Shri Rajubhai A.
Patel, Shri Vithalbhai M.
Puglia, Shri Naresh
Rafique Alam, Shri
Ramachandran. Shri S. K. T
Rathwa, Shri Ramsinh
Singh, Shri Surender
Solanki, Shri Madhavsinh
Verma, Shri Kapil
Yadav, Shri Ram Naresh

Notes—25

Basu Ray, Shri Sunil
Das Gupta, Shri Gurudas
Dave. Shri Anantray Devshanker
Gandhi. Shri Raj Mohan
Ganesan, Shri Misa R.
Gautam. Shri Anand Prakash
Kenia. Kumari Chandrika Premji
Maheshwari, Shrimati Sarala
Md. Salim, Shri
Mohammed Afzal, Shri *alias* Meem Afzal
Mohanty, Shri Sarada
Padmanabham, Shri Mentay
Poddar, Dr. R. K.
Rahman, Shri Mohd. Khaleelur
Raju, Shri J. S
Rao, Shri Gopala Rao
Reddy. Dr. Narreddy Thulasi
Saikia. Dr. Nagen
Sen. Shri Ashis
Singh, Shri Shankar Dayal
Sivaji. Dr. Yelamanchili
Solanki, Shri Gopalsinh G.
Upendra, Shri P.
Veerappan, Shri K. K.
Viduthalai Virumbi, Shri S.

The question was proposed.

Clause 27, *as amended, was added to the Bill.*

Clauses 28 *to* 47 *were added to the Bill.*

Clauses 48 *to* 52 *were added to the Bill.*

Clause 1 *was added to the Bill.* . .

THE DEPUIY CHAIRMAN : There is an amendment to the Enacting Formula by the hon. Minister, Shri Kamal Nath.

Enacting Formula

SHRI KAMAL NATH : Madam, I beg to move:

"That at Page 1, line 1 tor the word 'Fort,y-first' the word Tarty-sejcond' be substituted."

The question was put and the motion was adopted.

THE DEPUIY CHAIRMAN : The question is :

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI KAMAL NATH: Madam, I beg to move:

"That the Bill, as amended, be passed."

The question was proposed.

उपसभापति : थर्ड रीडिंग में आपको कुछ बोलना है ?

I will permit him. He wants to say something in the third reading.

डा० अबरार अहमद (राजस्थान) : मैडम, मुझे आज बड़ी हैरत हुई जब अमेंडमेंट्स लाए जा रहे थे और मंत्रीजी जिस तरह से एक्सेप्ट कर रहे थे, उससे लगा कि कैसे बिल्कुल अव्यावहारिक बात एक्सेप्ट हो जाती है ?

मैडम, एक अमेंडमेंट यह था कि सैंक्च्युअरी के 10 किलोमीटर की परिधि में किसी को भी आर्म्स का लायसेंस न दिया जाए। उस अमेंडमेंट को एक्सेप्ट किया गया। मैडम, मैं आपके माध्यम से कहना चाहता हूं कि बिना सोचे-समझे इस प्रकार से अमेंडमेंट एक्सेप्ट कर लेना ठीक नहीं है । मैडम मैं सवाई माधोपुर का रहने वाला हूं। सवाई माधोपुर आज से नहीं, ढाई सौ साल पहले से बसा हुआ है और सवाई माधोपुर में सैंक्च्युअरी अभी 10 साल पहले बनी है । हर साल उस सैंक्च्युअरी के क्षेत्र का विस्तार होता है । अब इसका विस्तार होते-होते 5 किलोमीटर भी नहीं बल्कि उस जगह से बाहर की सीमा 2 या 3 किलोमीटर रह गयी होगी । मैडम, जहां एक लाख लोग रहते हैं, हर तरह के लोग रहते हैं जिन्हें कि अपनी सुरक्षा की आवश्यकता है । सरकार तो हरेक को सुरक्षा देने में सक्षम नहीं है । वहां पास में ही चंबल नदी है जिसके कि डाकू सारे हिंदुस्तान में मशहूर हैं, उस जगह के लिए 10 किलोमीटर की परिधि बांधना, वहां सारे लोगों के हथियारों के लायसेंस रद्द कर दिये जाना या वहां के आदमी को हथियार के लिए लायसेंस देना मना कर दिया जाना और उस अमेंडमेंट को मान लेना, मैं कहता हूं कि इतनी अव्यावहारिक बात, इतनी गलत बात, बिना सोचे-समझे और बिना ज्ञान के कर लेना गलत बात है। इसलिए मैं आपके माध्यम से सरकार से कहना चाहता हूं कि सरकार सोचे और इस प्रकार के अमेंडमेंट को किसी कीमत पर न माने वरना मैं तो सवाई माधोपुर का रहने वाला हूं, इसलिए आज उनको बता रहा हूं, लेकिन इस तरह की जाने कितनी सैंक्च्युअरी हैं जिनके लाखों आदमी इससे प्रभावित हो सकते हैं । इसलिए ऐसे अमेंडमेंट को सोच-समझ कर हर तरह से स्टडी कर माना जाना चाहिए नहीं तो देश में आंदोलन छिड़ जाएगा ।

मैडम, आज मैं संसद सदस्य हूं । मेरी सुरक्षा के लिए आज सरकार व्यवस्था कर सकती है, लेकिन कल संसद सदस्य नहीं रहूंगा । मैं आज यहां पचास तरह के भाषण देता हूं, पचास तरह की बातें बोलता हूं, अगर किसी प्रकार के आर्म्स रखने पर पाबंदी लग गयी तो शायद कोई मुझे बचा नहीं पाएगा । तो मुझ जैसे कितने राजनीतिज्ञ, कितने व्यापारी और कितने दूसरे लोग हैं, जो अपनी सुरक्षा स्वयं करते हैं, जो उन जिलों में, उन शहरों में रहते हैं । इसलिए कुछ सोचें, समझें, व्यावहारिकता के नजदीक जाएं और उसके बाद इस प्रकार का अमेंडमेंट लाया जाए। धन्यवाद, मैडम ।

श्री विट्ठल भाई मोतीराम पटेल (गुजरात) में समर्थन कर रहा हूं इसका । . . .

SHRI VITHALRAO MADHAVRAO JADHAV: Madam, 1 support what Dr. Abrar Ahmed has said. I share his feelings. It is a very practical thing. The hon. Minister must consider this and bring forward an amendment later on and the whole House should accept it.

श्री शंकर दयाल सिंह : महोदया, यह जो हमारे सामने वन्य जीव के संबंध में एक महत्वपूर्ण बिल 1972 का, संशोधन के साथ जिस तरह से इस सदन में लाया गया है और मंत्री द्वारा जिस रूप में इसका प्रस्तुत किया गया है, जिस ढंग से इस पर अमेंडमेंट स्वीकार किए गए हैं, सारी चीजें मैं समझता हूं कि सदन में बहुत अप्रत्याशित थीं । महोदया, यह वन्य और पर्यावरण दोनों केवल देश के लिए ही नहीं बल्कि पूरी दुनिया में एक महत्वपूर्ण विषय है । प्रोफेसर मेनन ने जब इसको यहां इनिसिएट किया था, जब उस पर भाषण दिया था तो निश्चित रूप में बहुत ही मूल्यवान सुझाव उन्होंने दिए थे और जिस पर कई सदस्यों ने यह बात कही कि उनको भी बोलना का मौका दिया जाए ।

महोदया, मैं यह चाहता था कि इन चीजों को राजनीति से ऊपर उठकर देखने और जो इसके एक्सपर्टस हैं, उनके साथ बैठकर मंत्री महोदय पहले इसका ढांचा तैयार करते तो शायद यह अशोभनीय मौका नहीं आता । मुझे खुशी है कि सत्ता पक्ष के एक बड़े ही प्रखर और मुखर सदस्य ने सबसे बड़ी भूल की और, जो कि राजनीति से अलग चीज है और यह प्रेक्टिकल और व्यवहारिक चीज है, उसकी ओर इनका ध्यान आकृष्ट किया है ।

महोदया, मैं समझता हूं और इसीलिए मैंने जिस समय डिविजन की मांग की थी तो मेरी मंशा यह नहीं थी कि सरकार का कोई बिल गिर जाए, मेरी मंशा यह नहीं थी कि मैं इनको सपोर्ट नहीं कर रहा, मेरी मंशा केवल यही थी कि किस तरह की गंभीरता के साथ आपने इस बिल को इस सदन में ला. सरकार के ध्यान में ला सकूं ।

महोदया, मैं कहना चाहता हूं कि अभी भी मौका है । अगर मंत्री महोदय उचित समझते हों कि कुछ उनको समय देकर उसमें सुधार कर लिया जाए और अच्छे ढंग से वह लेकर आएं तो अपनी गलती स्वीकार करते हुए वह 24 घंटे का या एक सप्ताह का मौका ले लें और फिर एक सप्ताह बाद फिर अच्छे ढंग से उसको रीराइट करते हुए वेल अमेंडेड अपनी ओर से ले आएं तो यह देश के लिए बहुत ही अच्छा होगा ।

SHRI GURUDAS DAS GUPTA (West itengal): Madam, my point is, the Government or the Minister has not really understood the importance of wildlife and its bearing on environment. If environment is so vital for the human society, I feel. wildlife is also very important. Considering the importance of the subject, I think, the behaviour of the Government should have been *more* judicious and responsible. But 1 feel that the Government, particularly. the Minister, is acting in a most lighthearted way. as if the Bill has no significance, as if wildlife has no bearing, as if environment is of little importance to the country, to the world. It is because of this ignorance, total ignorance. that a very important subject is being dealt with *so* lightly. *(Time hell rings)*

While putting on record *my* serious reservation on the behaviour of the Government, 1 only say that this is not the way in which the House should be treated by the Government. This is an example of how this House is being taken for granted by the Government. I only want that the Leader of the House should take into consideration the serious agony, the serious feeling, that it has generated. He should seriously consider how the whole situation can be corrected because it brings discredit not only to the Minnster, but it brings discredit to the House and to the Government also, of which he is a responsible Member. I think the Government has to take steps to correct it and to bring a little more credibility and responsibility in its behaviour

6.IK) P.M.

THE DEPUTY CHAIRMAN: Mr. Salim, if you are speaking on amendments I will allow you.

मोहम्मद सलीम : मैडम, एक बात है, जब अमेंडमेंट मूव हो रहा था और जिस तरीके से हड़बड़ी से इसे पास किया जा रहा था तो, विरोध पक्ष के कुछ लोगों ने यह कहा था तो इसमें कुछ उनको बुरा भी लगा लेकिन सवाल यह नहीं था सरकारी पक्ष और विरोधी पक्ष का मामला, बल्कि जो बात कही जा रही थी, वह यह थी कि मंत्री महोदय ने एक माननीय सदस्य द्वारा मूव किया गया अमेंडमेंट हड़बड़ी से पास करवा रहे हैं और गंभीरता से नहीं लिए हैं, अभी सरकार पक्ष के एक माननीय सदस्य का सवाल है कि सरकार स्पष्ट बताए कि हम जो 22(ए) इंसर्ट किए हैं अमेंडमेंट के जरिए, मंत्री महोदय ने जो अमेंडमेंट मान लिए हैं, उसे मंत्री महोदय कितनी गंभीरता से लिए हैं, तो इसलिए शंकर दयाल सिंह जी ने जो बात कही है, मैं उसका समर्थन करता हूं और समय लेकर इसको पूरे तरीके से नजरसानी करना चाहिए, यह मैं चाहता हूं ।...(**व्यवधान**)

उपसभापति : मंत्री जी अभी जवाब दे रहे हैं, क्या आप यही कहेंगे ?

श्री अनन्तराय वेदशंकर दवे : मैडम, मैं एक ही मिनट लूंगा । वैसे हमारी पार्टी भी इस बिल को सपोर्ट करती रही थी, उपसभापति महोदया, हम पहले से ही सपोर्ट कर रहे थे, लेकिन जिस तरीके से जो अमेंडमेंट लाए हैं और अभी जो ध्यान पवार जी ने इस सदन का खींचा है और माननीय सदस्य ने यहां भी जो बताया है कि अभी बहुत टाईम आपके पास है, सरकार के पास है, माननीय श्री मेनन जी ने बहुत अच्छे सुझाव दिए हैं इस बिल के लिए, आप यह वापस ले लीजिए या आपको जो ठीक लगे वह कीजिए, लेकिन पूरा डिटेल्ड बिल सदन में रखिए । हम इस बिल के समर्थन में हैं, हमने उसका विरोध किया ही नहीं है लेकिन जिस तरीके से यहां जो अमेंडमेंट आ रहा था उसका ही हमने विरोध किया था, लेकिन हमारी पार्टी भी आपके इस बिल का समर्थन करती रही है और करती है ।

उपसभापति : मंत्री जी...(**व्यवधान**)

श्री मोहम्मद खलीलुर रहमान : पार्टीवाइज...(**व्यवधान**)

उपसभापति : पार्टीवाइज नहीं हो रहा है ।...(**व्यवधान**) आप पहले मेरी बात सुनिए ।...(**व्यवधान**)...

श्री मोहम्मद खलीलुर रहमान : सब से पहले यह मैंने उठाया था...(**व्यवधान**)

THE DEPUTY CHAIRMAN: I must tell you one thing.

पहले मेरी बात सुनिये

श्री मोहम्मद खलीलुर रहमान : इस लापरवाही का सब से पहले मैंने उठाया ...(**व्यवधान**)...

THE DEPUTY CHAIRMAN: Let me guide you.

एक सैकण्ड बैठिए । यह सवाल पार्टीबाजी का नहीं है, यहां पार्टी के नाम लेने का नहीं है मेरी पार्टी, Then I will have to allow everybody. That is not the question. I allowed him to speak on the third reading, not as a Member from a particular party. Then it becomes compulsory for every party to speak. So, it is not a question of any. You can speak in your own capacity, in your individual capacity.

श्री मोहम्मद खलीलुर रहमान : मेरे बोलने का मकसद यह है कि हुकूमत की इस लापरवाही का सब से पहले मैंने उठाया कि... (**व्यवधान**)

उपसभापति : आप अपने व्यक्तिगत रूप से बोल सकते हैं ।

श्री मोहम्मद खलीलुर रहमान : यानी कतन मेरा मकसद यह नहीं था कि इस बिल की मुखालफत की जाए, जिस अंदाज से यह बिल ड्राफ्ट किया गया इंतहाई लापरवाही के साथ इस बिल को ड्राफ्ट किया गया और जिस अंदाज से अमेंडमेंट को एक्सैप्ट किया जा रहा था उसी वक्त मैंने यह कहा था कि... (**व्यवधान**)

उपसभापति : वह बात नहीं है आप अपने तौर पर. . . (व्यवधान)

श्री मोहम्मद खलीलुर रहमान : मैडम, यह बात मुझे मालूम हो रही है मगर हमारा, कतन मेरा या किसी और का मकसद यह नहीं था कि इस बिल की मुखालफत की जाए ।

उपसभापति : एग्रीड ।

श्री मोहम्मद खलीलु रहमान : अभी भी मौका है हमारे औब्जिज मिनिस्टर से यह दरख्वास्त करूंगा कि आप टाईम ले लीजिए और इंतहाई सोच-समझ कर आप इस बिल को फिर दोबारा पेश कर सकते हैं और इस बिल को पास करा सकते है ।

उपसभापति : मंत्री जी ।

SHRI KAMAL NATH : Madam, I have stated earlier that this Bill is not a 'Bill relating to a particular party and should cut across all party lines. During the discussion it was so evident that everybody was supporting it. It is only when amendments came in, some kind of dissention was brewed.

It is not that this Bill has been looked at casually or there has been a lackadaisical approach. As I said while replying to the discussion arid I will repeat that this Bill has been under consideration for a long time. All kinds of opinions were expressed. This has been carrying on since 1981 when the proposals were placed before the Indian Board of Wild Life who decided that the matter may come up before a Sub Committee. In 1986 these proposals were put up before another Standing Committee. In 1987 they ware approved by the Committee, In 1988 they went to the Law Ministry, and in December 1990 it was passed by the Cabinet. Deep consideration has gone into it. Since the Bill concerns all of us, it is a matter for consideration of all of us, I had wished that other Members also had moved amendments. There was nothing wrong in it. I would have been glad. I would have, as I said, looked at it with equal respect and equal consideration. Since this issue only came up at the time of moving of amendments—there were almost 30 amendments moved by two Members—I did see sense, I did see wisdom— and they were good suggestions—and so I accepted them. It is not the question that just because so many amendments were moved by a particular Member that I did not accept them. So, it is not that we have not gone into this.

A point has just now been made by an honourable Member that this will cause hardship wih regard to Sawai Madhopur. I think it is wrongly understood. There is no ban which is being imposed in this Bill. Only a provision is being made that concurrence will be required from the Chief Wild Life Warden and, that too, in future, not for anybody else who has a licence now. That too, in future. Concurrence will have to be obtained for getting an arms licence within ten kilometres. This was one of the points made by another honourable Member from that side—I can look at my notes and tell you where—that arms licenecs are issued freely near the sanctuaries. So, in pursuance of this sentiment I chose to accept this amendment. There is no question of it causing hardship, and if this does cause hardship, it should not be construed to mean that there is going to be a ban. It is only with the concurrence of the Chief Wild Life Warden, which will help in keeping a record. As I said earlier, there are certain known poachers and this will be a disabling thing to known poachers to go there and get licences, at least fa 10 kilometres of a sanctuary. Now, where a sanctuary is expanding, certainly that will be looked into. The intention is not to cause hardship and, if this leads *to* any hardship, we shall certainly look at it again.

डा० अबरार अहमद : मैडम, जैसा बाद में मंत्री जी ने कहा कि जो अमेंडमेंट था वह बिल्कुल क्लीयर था अमेंडमेंट में किसी प्रकार का कोई, जो एक्सेप्ट किया गया है कि 10 किलोमीटर के आसपास, मतलब सैंक्च्युअरी की जो सीमा है उसके 10 किलोमीटर की सीमा में लाइसेंस नहीं दिया जाएगा । क्या उस अमेंडमेंट को उसी रूप में आप रखने की

[डा० अबरार अहमद]

बात कर रहे हैं या उसमें आप यह एड कर रहे हैं कि जो सेंक्चयअरी का वार्डन होगा लाइसेंस उसकी कंसलटेंसी से दिया जाएगा ? दोनों बातों में बहुत डिफरेंस है । लाइसेंस देने का प्रावधान उसी तरह से रहे लेकिन वार्डन को कंसल्ट कर लिया जाए, एक तो यह चीज़ है और इस चीज़ में कोई दिक्कत नहीं है । वार्डन को कंसल्ट किया जाए कि उस आदमी से वाइल्ड लाइफ एनीमल को कोई खतरा तो नहीं है ? लेकिन लाइसेंस देने की जहां तक बात है और उसमें जो प्रतिबंध वाली बात है, उस पर मेरी घोर आपत्ति थी ।

DR. NAGEN SAIKIA (Assam): Madam, I am on a point of order. The Amendment regarding which Dr. Abrar Ahmed has been raising the point, that amendment has already been passed. Can we now go back to that amendment ?

SHRI GURUDAS DAS GUPTA: Madam, this question-answer system must end.

THE DEPUTY CHAIRMAN: You see. just now you have said that it is a very serious matter. So 1 have to allow Members.

(Interruptions)

SHRI GURUDAS DAS GUPTA: Even after listening to us the Minister stands on prestige. Let him have his false prestige and pass the Bill. This Bill is the baby of the Minister and, therefore, he has the responsibility. Since he stands on a false footing, let him pass it. It is his responsibility. But let us not waste the time of the House.

THE LEADER OF THE HOUSE (SHRI S. B. CHAVAN) : Madam, I think at this stage these matters should not have been discussed at such great length. I quite appreciate the point but, at the same time, we can assure the House that he will definitely look into the matter again and, if it really causes any kind of difficulty, certainly at an appropriate time, he will bring an amendment.

SHRI GURUDAS DAS GUPTA: He will come with a second amendment- Very good ! This is how the Government's mind is working.

SHRI V. NARAYANASAMY (Pondisherry) : When the is no hardship caused, why worry about it?.. . *(Interruptions)*

SHRI S. B. CHAVAN: If you want me to withdraw, I am prepared to withdraw.

SHRI GURUDAS DAS GUPTA : Madam, I congratulate Mr. Chavan for his forthright statement. This is yet another indiaction of how the mind of the Government is working.

THE DEPUTY CHAIRMAN : The question is :

"That the Bill, as amended, be passed."

The motion wax adopted.

THE DEPUIY CHAIRMAN : We have listed Discussion on the working of the Ministry of 1 & B. If the House so agrees, we will discuss about it now.

SOME HON. MEMBERS : Tomorrow.

THE DEPUTY CHAIRMAN . O kay. The House is adjourned till eleven o'clock tomorrow.

The House then adjourned at eleven minutes past six of the clock till eleven of the clock on Thursday, the 29th August, 1991.